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No. 38

## Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mrs. MURRAY).

### PRAYER

The PRESIDENT pro tempore. Today's opening prayer will be offered by Rev. Mark Antal, the National Chaplain of the American Legion.

The guest Chaplain offered the following prayer:

Let us pray.

Eternal God, King of Kings and Lord of all nations, we come before You today seeking Your divine wisdom, mercy, and love.

From the theme verse of the U.S. Army Chaplain Corps, Proverbs 9:10, "The fear of the Lord is the beginning of wisdom."

We come to You not in a state of slavish fear but in an attitude of love and reverence. From houses of worship and places of prayer, people all across our Nation pray daily for these men and women assembled here in this Chamber.

Guard, keep, and protect these Senators as they travel from their homes here in Washington and then to their respective home States. Help them to know that they are respected and honored by a grateful nation.

Their task may appear huge at times. Help them to remember the words of the late Mother Teresa of Calcutta: We cannot do great things in this world. We can only do small things with great love.

From the words of the great hymn writer Pollard-Stebbins, we humbly pray:

Have thine own way, Lord. Have thine own way. Thou art the potter. I am the clay. Mold me and make me after thy will, while I am waiting, yielded and still.

To You, O God, belong the glory. Amen.

### PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. HICKENLOOPER). The majority leader is recognized.

### MEASURE PLACED ON THE CALENDAR—S. 532

Mr. SCHUMER. First, some business, and then I will give my remarks.

First, I understand there is a bill at the desk that is due for a second reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the second time.

The senior assistant legislative clerk read as follows:

A bill (S. 532) to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities.

Mr. SCHUMER. In order to place the bill on the calendar under the provisions of rule XIV, I would object to further proceedings.

The PRESIDING OFFICER. Objection have been heard, the bill will be placed on the calendar.

### CONGRESSIONAL DELEGATION

Mr. SCHUMER. Mr. President, now, on the recap of our codel: While meeting last week with leaders in Europe, India, Pakistan, and Israel—the nine of us on our codel—two takeaways became clear. First, the United States should deepen our relationship with India if we want to outcompete the Chinese Communist Party in this century. Second, democracies must unite in increasing aid to Ukraine.

I was glad Prime Minister Modi got the message during our meeting with

him in India. My colleagues and I made clear the two largest democracies in the world—the world's oldest democracy and the world's largest—could be a powerful check against the CCP.

That doesn't mean just cooperating with India on defense and security, though that is essential. It means we must take an all-out, all-of-the-above approach, because that is precisely what the CCP is doing.

The CCP wants to outcompete America not just on defense but also economically, geopolitically, technologically, in terms of our fundamental values and more. Just as our transatlantic partnership matters immensely, so too will our partnership with India.

The United States and India must, therefore, keep working together to strengthen our economic ties, expand our trade, and make it easier to recruit talented workers from abroad to work in our country.

While meeting with foreign leaders, we also made clear the importance of standing shoulder to shoulder with the people of Ukraine. We made it clear to the leaders of Europe, India, Pakistan, and Israel that they must increase their aid to Ukraine. Vladimir Putin's illegal invasion is now a year old; and as difficult as the road has been, we made it clear that the worst thing we can do is waver in our support. The Ukrainian people and the Ukrainian Armed Forces are fighting valiantly, but they need more materiel. And it is our job to give it to them. A Russian victory will not quench Putin's hunger for expansion. On the contrary, it would escalate his desire for more territory.

So the right answer is for the transatlantic partnership—and all the free nations of the world—to continue supporting the Ukrainian people.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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## STUDENT DEBT

Mr. SCHUMER. Mr. President, now on the SCOTUS oral arguments on student debt. Today, the Supreme Court begins hearing oral arguments on President Biden's student debt relief plan, a plan that could give tens of millions of Americans a new lease on life.

Republicans talk a big game about helping working people, but today's case before the Supreme Court—pushed by Republican officeholders who oppose the President's plan—is a slap in the face of working Americans across the country, young and old alike. Let me be clear: 90 percent—90 percent—of the relief going to out-of-school borrowers will go to those earning less than \$75,000 a year. This isn't a handout to the wealthy. Far from it. This is critical relief to working- and middle-class families. For generations, higher education was the ladder up into the middle class, especially for millions of Black, Latino, and Asian Americans.

But over the years, the student debt that comes with a college degree has become not a ladder up but an anchor weighing Americans down—making it harder for them to put a down payment on a house, buy a car, start a family, and save for retirement. In other words, the burden of student debt makes it harder—harder—to achieve the American Dream.

That is what is at stake before the Supreme Court, not just the chance to relieve the crushing weight of student debt for millions upon millions of people but also to make the American dream a little more accessible for millions more—their families, as well as themselves. That is all we are trying to do, and I am confident we will get there because I believe the law is on our side.

## CHIPS AND SCIENCE ACT

Mr. SCHUMER. Mr. President, now on CHIPS and Science. Just 6 months after President Biden signed the CHIPS and Science Act into law, we are already seeing it pay major—major—dividends for our economy, to the tune of \$200 billion in private investments across 16 States. And starting today, applications are officially open for more investments in American industry and American workers.

Today, Secretary Raimondo, who has done terrific work getting CHIPS up and running, is rolling out the Department of Commerce's applications with CHIPS funding.

Today's rollout is a major step towards making America the world leader in chip production once again, with tremendous benefits for our national security, for outcompeting the Chinese Communist Party, and creating tens of thousands of good-paying union jobs right here at home.

So I want to commend Secretary Raimondo, who was not only a crucial partner with me in getting the bill across the finish line but who has also

done a fantastic job rolling out the funding so quickly, so effectively, so efficiently. And I want to commend my colleagues on both sides of the aisle for recognizing the need to get this done and pushing to make it happen.

EAST PALESTINE TRAIN  
DERAILMENT

Mr. SCHUMER. Mr. President, now on to East Palestine. Yesterday, I called on Norfolk Southern's CEO Alan Shaw to come before the Senate and answer questions under oath about the derailment in East Palestine.

The accident has been deemed 100 percent preventable. So Mr. Shaw should be transparent, forthright, and he should not duck but, instead, testify before America, before the Senate, as soon as possible.

Norfolk Southern owes the American people some answers to some very important questions.

Why, for example, did Norfolk Southern spend years pushing the Federal Government, and particularly the Trump administration, to repeal—repeal—safety regulations intended to prevent accidents similar to the one in East Palestine?

Why has Norfolk Southern laid off thousands of workers while reporting over \$3 billion in profits in 2022?

And why did Norfolk Southern launch a \$10 billion stock buyback program last year, when they could have used that money to upgrade safety equipment, hire more workers, or pay their employees better wages?

Disasters like the one in East Palestine are precisely what can happen when safety takes a backseat to maximizing profits. It is a pattern that has played out to devastating effect over the years: Corporate interests lobby the government to loosen safety rules, then they cut costs, cut workers, reward shareholders; and sooner or later, disaster strikes.

And it is so typical—so typical—for people like Donald Trump to do the bidding of special interests, cause harm to the American people—that is what he did when he loosened railroad regulations—and then point the finger at someone else when something terrible happens. That is just what he did here. It just doesn't wash. The American people see right through it.

So, once again, I hope the CEO of Norfolk Southern testifies as soon as possible. Norfolk Southern has broken their trust to the American public and must—must—be held accountable.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY  
LEADER

The PRESIDING OFFICER. The Republican leader is recognized.

## INFLATION

Mr. MCCONNELL. Mr. President, Washington Democrats' reckless spending has embedded painful inflation deep in our economy. Runaway prices are making families' monthly budgets harder to balance. And as interest rates rise, the financial markets where millions of Americans invest their life savings are becoming literally more volatile.

Short-term bond yields are trading at their highest levels since the precipice of the Great Recession in 2007. Indications of expected stock market volatility appear to be actually on the upswing.

But with Americans' retirement accounts already in jeopardy, Democrats have gone looking for still more ways to put workers' savings at even greater risk. The Biden administration is trying to enact a radical new regulation that would help liberals use Americans' very own retirement savings as financial muscle for political causes they may not even support.

The Labor Department's proposed new rule would water down financial managers' fiduciary obligation to get the best return for their clients. This administration wants to let the fund managers prioritize extraneous factors—from companies' carbon footprints to various HR policies—when deciding where to invest hard-working Americans' savings.

The Biden administration wants to let Wall Street use its workers' hard-earned savings to pursue leftwing political initiatives instead of trying to maximize the returns for their clients' retirements. Democrats want to let money managers making these unrelated ideological goals a higher priority than getting their clients, ordinary American workers, the best returns for their own retirements.

Not surprisingly, studies suggest that investment funds where the managers put a political thumb on the scale in this particular fashion tend, not surprisingly, to underperform normal investments. When you put ideology ahead of seeking the highest returns, well, the returns, of course, suffer. And if the Democrats have their way, the losers will be ordinary American workers who have spent their whole careers putting money away for their retirement. In effect, we are talking about letting financial companies garnish the retirement savings of workers, without their permission, in order to pursue unrelated liberal political goals.

The Biden administration wants to put American workers in a position where portions of their potential returns on their retirement savings could be effectively donated away to leftwing political causes without their consent.

What a disastrous way to pile onto the pain they have already caused millions of American families.

I am grateful to my colleague from Indiana, Senator BRAUN, and to my friend and fellow Kentuckian Congressman ANDY BARR for leading a bipartisan resolution in both Houses to make sure that Americans' retirement accounts are about one thing: maximizing returns on investments. I will be proud to support this commonsense measure later this week.

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#### CRIME

Mr. MCCONNELL. Mr. President, on another matter, crime in our Nation's Capital is literally out of control. Washington, DC, has already seen about three dozen homicides in just the first two months of the year. This is a 35-percent increase over last year's pace. There have been more than 1,300 thefts from autos—a 25-percent increase over last year's pace—and more than 1,100 thefts of motor vehicles, including carjackings, more than doubling last year's pace for a shattering 109-percent increase.

At best, the liberal city politicians who have presided over this ongoing collapse in law and order are doing basically nothing. The Mayor recently announced that the city will hand out free steering wheel locks to residents who own certain kinds of vehicles.

But some local officials are not content with doing nothing and have set their minds to making the situation actually worse. The city council just passed a new criminal code designed to go even softer still on crime, reducing penalties for a number of violent offenses and property crimes.

To a unique degree, unlike any other city in America, Washington, DC, issues are national issues. The District of Columbia doesn't belong to a handful of local politicians; it belongs to more than 330 million American citizens. The people need their government to function in safety. Families and school groups need to be able to come tour the Capital, which their own tax dollars help finance, in peace of body and peace of mind.

This is why the Constitution entrusts our seat of government to a Federal district. It is why Federal law gives Congress the ability to step in and help govern our Nation's Capital City if local politicians fail to take care of basic business.

Now, amazingly, the same Washington Democrats who have spent the last several years trying to steamroll localism and federalism in every way possible are now, all of a sudden, indignant at the notion that Congress might toughen up penalties for violent crime here in the District.

Just last year alone, Democrats, right here in this Chamber, tried to break the Senate rules so they could micromanage every county in America's election laws. They tried to ram through a bill that would have swept

away State and local laws and forced every community in America to adopt radical abortion laws on par with China and North Korea. Over the last 2 years, Democrats have passed bill after bill that spent trillions of dollars to interfere in American families' lives and put more of our society under the thumb of Federal bureaucrats.

So when it comes to radical far-left priorities, Washington Democrats have no qualms whatsoever about this city steamrolling 50 States and local communities. They vote for that outcome 8 days a week. But now, when public safety is in free fall in our Federal city itself, now Washington Democrats pretend they have become small government federalists and they want Congress out of the picture. This is a desperate attempt to change the subject, and it could not be less persuasive.

Democrats want Washington, DC, to take over every State law, even small business decisions and every family's financial choices. But we are supposed to believe that cleaning up violent crime in Washington, DC, itself, would be a bridge too far. Really?

They are just trying to duck the real debate. Democrats want to debate anything and everything beside violent crime itself because the modern Democratic Party and its coalitions have decided it is more important to have compassion for serial violent felons than for innocent citizens who just want to live their lives.

That is the issue here—a binary choice. Should we be softer on crime like Democrats want at the State, local, and Federal levels, or should we be tougher on crime like Republicans and the American people want? That is the debate.

I want to thank Senator HAGERTY for spearheading the commonsense resolution that would nullify the DC Council's insane pro-criminal legislation and bring at least an ounce of common sense back to the American people's Federal city.

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#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

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#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

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#### EXECUTIVE SESSION

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#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Jamar K. Walk-

er, of Virginia, to be United States District Judge for the Eastern District of Virginia.

Mr. MCCONNELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. THUNE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### STUDENT LOAN DEBT

Mr. THUNE. Mr. President, across the street, this morning, oral arguments are occurring at the Supreme Court in two challenges to the President's reckless student loan giveaway.

There are two main parts to the President's scheme. There is the outright forgiveness of \$10,000 in Federal student debt and \$20,000 for Pell grant recipients, which is set to cost American taxpayers somewhere in the neighborhood of half a trillion dollars. Then there is the President's radical revamp of the income-driven repayment system, which would bring the total cost of the President's plan to somewhere close to a trillion dollars.

The President's new income-driven repayment plan has probably garnered less attention than his plans for student loan forgiveness, but his new income-driven repayment program is just as problematic because it sets up a system in which the majority of Federal borrowers will never—never—fully repay their loans.

One scholar at the Brookings Institution, a left-of-center think tank, estimates that "the vast majority" of college students will be eligible for the program and that current and future borrowers enrolled in the program "[o]n average . . . might only expect to repay approximately \$0.50 for each dollar they borrow"—"repay approximately \$0.50 for each dollar they borrow."

The Urban Institute, another left-of-center think tank, estimates that just 22 percent of those with bachelor's degrees enrolled in the President's new income-driven repayment program would repay their loans in full. By contrast, the institute notes that under today's IDR program, we would expect 59 percent of individuals with bachelor's degrees to repay their loans in full.

The nonpartisan Penn Wharton Budget Model estimates the cost of the President's new income-driven repayment program at \$333 billion to \$361 billion—the range—over 10 years. However, Penn Wharton notes, "These estimates do not yet include the effects of students increasing their borrowing."

"These estimates do not yet include the effects of students increasing their borrowing."

Needless to say, students are likely to increase their borrowing. It is common sense. In fact, the Brookings Institution notes that borrowing is likely to become the preferred means of paying

for college under the President's plan. And, of course, as student borrowing increases, so does the cost to taxpayers because it is taxpayers who will be footing the bill for all that student loan money that is never paid back.

Now, both President Biden's outright student loan forgiveness and his student loan forgiveness masquerading as income-driven repayment are going to cost the taxpayers a lot of money. There are the direct costs of the plan that will be paid for by the Federal Government—in other words, by taxpayers, including those who never went to college and those who have already paid off their student loans.

There are the indirect costs, like the fact that the President's student loan giveaway is likely to prolong our current inflation crisis. The Committee for a Responsible Federal Budget, where President Biden's own Treasury Secretary once served on the board, has estimated that the President's plan would "meaningfully boost inflation"—"meaningfully boost inflation." Now, you would think that the President might have learned his lesson after helping to set off the worst inflation crisis in 40 years with his massive American Rescue Plan spending spree but apparently not.

It is important to remember that taxpayers are going to be footing the bill for student loan cancellation for Americans who, if they graduated from college, enjoy greater long-term earning potential than many of the Americans who will be helping to shoulder the burden for their debts. This isn't a government handout for the needy; this is a government handout that will disproportionately benefit Americans who are better off.

Of course, the President's student loan giveaway will do nothing—nothing—to address the root of the problem, and that is soaring college costs. In fact, it is likely to make things worse. Faced with the knowledge that many of their students will never have to fully pay off their loans, colleges will have zero incentive to cut costs, and students are likely to feel less pressure to choose a more affordable college option since there is a good chance they will only have to pay back part of their student loan debt and might even have it forgiven entirely.

It is not hard to imagine a future Democrat President deciding that it is politically expedient to imitate President Biden and just cancel a huge portion of student loan debt outright, especially since college costs and college debt will continue to soar under the President's plan.

Whether President Biden has the legal authority to implement the debt cancellation he proposed is really questionable. He used a law called the HEROES Act, drafted to give the President authority to provide student loan relief in times of war or national emergency and specifically to provide relief to the large number of soldiers deployed to the Middle East in the wake

of September 11. It was not intended to provide for widespread student loan forgiveness in a time of peace and low unemployment.

The President himself raised questions about his authority to forgive student loans in a 2021 townhall meeting. The former Democrat Speaker of the House stated plainly—plainly—that the President didn't have this authority. Between bullying from the far left and the prospect of gaining votes in the 2022 election, the President went ahead anyway. And now—now—taxpayers will be saddled with close to an additional trillion dollars in debt on top of the other reckless spending by the Biden administration and the Democrat Congress.

It is not just Republicans who have raised serious concerns about the President's student loan plans. So has the Washington Post and at least one scholar at the left-of-center Brookings Institution and the nonpartisan Committee for a Responsible Federal Budget, where, as I said earlier, the President's own Treasury Secretary once served. And the list goes on.

The President's student loan giveaway is yet another disastrous economic plan coming from the Biden administration, and if it goes into effect, it will be the American taxpayers who once again will be paying the price.

I yield the floor.

#### NOMINATION OF JAMAR K. WALKER

Mr. DURBIN. Mr. President, today, the Senate will vote to confirm Jamar Walker to the U.S. District Court for the Eastern District of Virginia. Mr. Walker's commitment to public service and deep ties to the Virginia legal community will serve the district court well.

Born in Nassawadox, VA, Mr. Walker received his B.A. from the University of Virginia in 2008 and his J.D. from the University of Virginia School of Law in 2011. He then clerked for Judge Raymond A. Jackson, whom he has now been nominated to succeed, on the U.S. District Court for the Eastern District of Virginia.

Mr. Walker began his career in private practice in Washington, DC, where he specialized in commercial insurance litigation and products liability. He then joined the U.S. Attorney's Office for the Eastern District of Virginia as an Assistant U.S. Attorney assigned to the Financial Crimes and Public Corruption Unit. In this role, Mr. Walker has prosecuted a wide range of cases, including bribery, money laundering, wire fraud, bank fraud, foreign corrupt practices, and securities fraud. Following 7 years of dedicated service, Mr. Walker was named the unit's acting chief in 2022.

Mr. Walker has spent nearly his entire legal career litigating in Federal court, and he has gained significant experience in both civil and criminal matters. In recognition of his expertise, the American Bar Association rated him "well qualified" to serve on the district court. He also has the

strong support of Senators WARNER and KAINE. And if confirmed, Mr. Walker would make history as the first openly LGBTQ article III Judge to serve in the State of Virginia.

I will vote in favor of his nomination, and I urge my colleagues to do the same.

Mr. THUNE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CARDIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. PADILLA). Without objection, it is so ordered.

Mr. CARDIN. Mr. President, I ask unanimous consent that the scheduled vote for 11:30 a.m. take place now.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### VOTE ON WALKER NOMINATION

The question is, Will the Senate advise and consent to the Walker nomination?

Mr. CARDIN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN), the Senator from Pennsylvania (Mr. FETTERMAN), the Senator from Oregon (Mr. MERKLEY), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BUDD), the Senator from Idaho (Mr. CRAPO), and the Senator from North Carolina (Mr. TILLIS).

Further, if present and voting, the Senator from North Carolina (Mr. BUDD) would have voted "nay" and the Senator from North Carolina (Mr. TILLIS) would have voted "yea."

The result was announced—yeas 52, nays 41, as follows:

[Rollcall Vote No. 26 Ex.]

#### YEAS—52

Baldwin	Heinrich	Reed
Bennet	Hickenlooper	Rosen
Blumenthal	Hirono	Schatz
Booker	Kaine	Schumer
Brown	Kelly	Shaheen
Cantwell	Kennedy	Sinema
Cardin	King	Smith
Carper	Klobuchar	Stabenow
Casey	Lujan	Tester
Collins	Manchin	Van Hollen
Coons	Markey	Warner
Cortez Masto	Menendez	Warnock
Duckworth	Murkowski	Warren
Durbin	Murphy	Welch
Gillibrand	Murray	Whitehouse
Graham	Ossoff	Wyden
Grassley	Padilla	
Hassan	Peters	

#### NAYS—41

Barrasso	Boozman	Britt
Blackburn	Braun	Capito

Cassidy	Johnson	Rounds
Cornyn	Lankford	Rubio
Cotton	Lee	Schmitt
Cramer	Lummis	Scott (FL)
Cruz	Marshall	Scott (SC)
Daines	McConnell	Sullivan
Ernst	Moran	Thune
Fischer	Mullin	Tuberville
Hagerty	Paul	Vance
Hawley	Ricketts	Wicker
Hoeven	Risch	Young
Hyde-Smith	Romney	

NOT VOTING—7

Budd	Fetterman	Tillis
Crapo	Merkley	
Feinstein	Sanders	

The nomination was confirmed. The PRESIDING OFFICER (Mr. HICKENLOOPER). Under the previous order, the motion to reconsider is considered made and laid upon the table and the President will be immediately notified of the Senate's action.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 17, Jamal N. Whitehead, of Washington, to be United States District Judge for the Western District of Washington.

Charles E. Schumer, Richard J. Durbin, Richard Blumenthal, Christopher A. Coons, Benjamin L. Cardin, Tina Smith, Christopher Murphy, Mazie H. Hirono, Tammy Baldwin, Margaret Wood Hassan, John W. Hickenlooper, Sheldon Whitehouse, Catherine Cortez Masto, Brian Schatz, Gary C. Peters, Alex Padilla, Michael F. Bennet.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Jamal N. Whitehead, of Washington, to be United States District Judge for the Western District of Washington, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN), the Senator from Pennsylvania (Mr. FETTERMAN), and the Senator from Oregon (Mr. MERKLEY) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BUDD), the Senator from Idaho (Mr. CRAPO), and the Senator from North Carolina (Mr. TILLIS).

Further, if present and voting, the Senator from North Carolina (Mr. BUDD) would have voted "nay" and the Senator from North Carolina (Mr. TILLIS) would have voted "nay."

The yeas and nays resulted—yeas 51, nays 43, as follows:

[Rollcall Vote No. 27 Ex.]

YEAS—51

Baldwin	Heinrich	Reed
Bennet	Hickenlooper	Rosen
Blumenthal	Hirono	Sanders
Booker	Kaine	Schatz
Brown	Kelly	Schumer
Cantwell	King	Shaheen
Cardin	Klobuchar	Sinema
Carper	Lujan	Smith
Casey	Manchin	Stabenow
Collins	Markey	Tester
Coons	Menendez	Van Hollen
Cortez Masto	Murkowski	Warner
Duckworth	Murphy	Warnock
Durbin	Murray	Warren
Gillibrand	Ossoff	Welch
Graham	Padilla	Whitehouse
Hassan	Peters	Wyden

NAYS—43

Barrasso	Hagerty	Risch
Blackburn	Hawley	Romney
Boozman	Hoeven	Rounds
Braun	Hyde-Smith	Rubio
Britt	Johnson	Schmitt
Capito	Kennedy	Scott (FL)
Cassidy	Lankford	Scott (SC)
Cornyn	Lee	Sullivan
Cotton	Lummis	Thune
Cramer	Marshall	Tuberville
Cruz	McConnell	Vance
Daines	Moran	Wicker
Ernst	Mullin	Young
Fischer	Paul	
Grassley	Ricketts	

NOT VOTING—6

Budd	Feinstein	Merkley
Crapo	Fetterman	Tillis

The PRESIDING OFFICER (Mr. LUJÁN). On this vote, the yeas are 51, the nays are 43.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Jamal N. Whitehead, of Washington, to be United States District Judge for the Western District of Washington.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 1:05 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. LUJÁN).

EXECUTIVE CALENDAR—Continued

VOTE ON WHITEHEAD NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Whitehead nomination?

Ms. CORTEZ MASTO. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN), the Senator from Pennsylvania

(Mr. FETTERMAN), and the Senator from Oregon (Mr. MERKLEY) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BUDD), the Senator from Idaho (Mr. CRAPO), and the Senator from North Carolina (Mr. TILLIS).

Further, if present and voting, the Senator from North Carolina (Mr. BUDD) would have voted "nay" and the Senator from North Carolina (Mr. TILLIS) would have voted "nay."

The result was announced—yeas 51, nays 43, as follows:

[Rollcall Vote No. 28 Ex.]

YEAS—51

Baldwin	Heinrich	Reed
Bennet	Hickenlooper	Rosen
Blumenthal	Hirono	Sanders
Booker	Kaine	Schatz
Brown	Kelly	Schumer
Cantwell	King	Shaheen
Cardin	Klobuchar	Sinema
Carper	Lujan	Smith
Casey	Manchin	Stabenow
Collins	Markey	Tester
Coons	Menendez	Van Hollen
Cortez Masto	Murkowski	Warner
Duckworth	Murphy	Warnock
Durbin	Murray	Warren
Gillibrand	Ossoff	Welch
Graham	Padilla	Whitehouse
Hassan	Peters	Wyden

NAYS—43

Barrasso	Hagerty	Risch
Blackburn	Hawley	Romney
Boozman	Hoeven	Rounds
Braun	Hyde-Smith	Rubio
Britt	Johnson	Schmitt
Capito	Kennedy	Scott (FL)
Cassidy	Lankford	Scott (SC)
Cornyn	Lee	Sullivan
Cotton	Lummis	Thune
Cramer	Marshall	Tuberville
Cruz	McConnell	Vance
Daines	Moran	Wicker
Ernst	Mullin	Young
Fischer	Paul	
Grassley	Ricketts	

NOT VOTING—6

Budd	Feinstein	Merkley
Crapo	Fetterman	Tillis

The nomination was confirmed. The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon table, and the President will be immediately notified of the Senate's action.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 14, Araceli Martinez-Olguin, of California, to be United States District Judge for the Northern District of California.

Charles E. Schumer, Richard J. Durbin, Jack Reed, Robert P. Casey, Jr., Mark Kelly, Patty Murray, Tim Kaine, Jeff Merkley, Sheldon Whitehouse, Elizabeth Warren, Tammy Baldwin, Benjamin L. Cardin, Jeanne Shaheen, John

W. Hickenlooper, Christopher Murphy, Brian Schatz, Debbie Stabenow, Alex Padilla.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Araceli Martinez-Olguin, of California, to be United States District Judge for the Northern District of California, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN), the Senator from Pennsylvania (Mr. FETTERMAN), and the Senator from Oregon (Mr. MERKLEY) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Idaho (Mr. CRAPO) and the Senator from North Carolina (Mr. TILLIS).

Further, if present and voting, the Senator from North Carolina (Mr. TILLIS) would have voted "nay."

The yeas and nays resulted—yeas 48, nays 47, as follows:

[Rollcall Vote No. 29 Ex.]

YEAS—48

Baldwin	Hickenlooper	Rosen
Bennet	Hirono	Sanders
Blumenthal	Kaine	Schatz
Booker	Kelly	Schumer
Brown	King	Shaheen
Cantwell	Klobuchar	Sinema
Cardin	Lujan	Smith
Carper	Manchin	Stabenow
Casey	Markey	Tester
Coons	Menendez	Van Hollen
Cortez Masto	Murphy	Warner
Duckworth	Murray	Warnock
Durbin	Ossoff	Warren
Gillibrand	Padilla	Welch
Hassan	Peters	Whitehouse
Heinrich	Reed	Wyden

NAYS—47

Barrasso	Graham	Paul
Blackburn	Grassley	Ricketts
Boozman	Hagerty	Risch
Braun	Hawley	Romney
Britt	Hoeven	Rounds
Budd	Hyde-Smith	Rubio
Capito	Johnson	Schmitt
Cassidy	Kennedy	Scott (FL)
Collins	Lankford	Scott (SC)
Cornyn	Lee	Sullivan
Cotton	Lummis	Thune
Cramer	Marshall	Tuberville
Cruz	McConnell	Vance
Daines	Moran	Wicker
Ernst	Mullin	Young
Fischer	Murkowski	

NOT VOTING—5

Crapo	Fetterman	Tillis
Feinstein	Merkley	

The PRESIDING OFFICER (Mr. WELCH). On this vote, the yeas are 48, the nays are 47.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Araceli Martinez-Olguin, of California, to be United States District Judge for the Northern District of California.

The PRESIDING OFFICER. The Senator from Tennessee.

JUDICIAL NOMINATIONS

Mrs. BLACKBURN. Mr. President, in keeping with their promise to fundamentally transform the country, Joe Biden and the Democrats have done everything in their power to fundamentally transform the Federal judiciary. As a member of the Judiciary Committee, I have been able to interact with many of these nominees, and I have to say that I fully believe the American people deserve better.

There was Charnelle Bjelkengren, Joe Biden's nominee to the Eastern District of Washington. Now, she couldn't tell the committee what article II of the Constitution says, but I expect my Democratic colleagues will send her nomination to the floor this Thursday.

Dale Ho, who received the unanimous support of committee Democrats to serve in the Southern District of New York, referred to himself as a "wild-eyed sort of leftist" and disparaged members of the committee on Twitter.

Before she was nominated to serve on the Fourth Circuit, DeAndrea Benjamin released multiple people on bond who went on to commit more violent crimes. She, too, received the unanimous support of committee Democrats.

Todd Edelman, who is well on his way to becoming a district judge here in the District of Columbia, also displayed soft-on-crime tendencies. He released a known criminal who then went on to participate in the murder of a child. He received yet another vote of unanimous support from committee Democrats.

Marian Gaston, nominee to the Southern District of California, wrote a policy paper arguing that we should do away with residence restrictions for convicted child sex offenders.

Orelia Merchant, nominee to the Eastern District of New York, couldn't define "originalism."

This is an embarrassment, and it gets even worse, and it gets even worse when you look at the lack of qualification of the nominees the Democrats are sending for lifetime appointments to the Federal bench.

Few nominations have been as disturbing as President Biden's elevation of Michael Delaney to the First Circuit. To date, Mr. Delaney's most noteworthy contribution to his profession is the vicious intimidation of an underage sexual assault survivor who dared to speak out against one of his clients.

My colleagues on the Judiciary Committee already know the story of what Mr. Delaney did to Chessy Prout and her family, but I am going to repeat it here for my colleagues who are unfamiliar with this nominee's background. You should vote against this nominee, and here is why.

When she was a freshman at the elite St. Paul's Boarding School, Chessy Prout was sexually assaulted by an older student participating in "senior salute." This was a campus-wide com-

petition that encouraged senior men to commit statutory rape.

The perpetrator was ultimately found guilty of misdemeanor statutory rape, but the Prouts wanted their day in court with a civil suit. They had evidence that the powers that be at St. Paul's knew about this sick tradition.

Mr. Delaney represented the school, and he decided he was going to play hardball. He moved to have Chessy, who was a minor child, named publicly in a lawsuit that had garnered national attention. That is right—let's publicly name this child in a lawsuit that had garnered national attention.

I would ask my colleagues, does that sound like an action that someone who is going to sit on the Federal bench should be taking?

Mr. Delaney knew that if he exposed Chessy as Jane Doe, he would put her at risk of bullying, social isolation, and physical harm. He knew that, but it was worth it to him because it meant he could silence Chessy Prout, and he could go on and protect an elite private school that had a sick tradition. Their leadership knew about that sick tradition.

Most of my Republican colleagues came to Mr. Delaney's confirmation hearing, and they questioned him about this action. Only two of my Democratic colleagues chose to attend the hearing and to question him. Why? Because even my friends on the other side of the aisle who have rubberstamped each of President Biden's unqualified nominees, no matter how controversial they were, they knew this guy, Mr. Delaney, is unfit to sit on the bench.

I would say two things to Chairman DURBIN and the rest of my Democratic colleagues on the Judiciary Committee. First, even a cursory glance at this nominee's record should have landed his file in the trash can. You don't do this. You do not do this to minor children. But now that his nomination is facing a vote, you need look no further into Mr. Delaney's record than what has already been laid out before us. He harassed and threatened a 15-year-old little girl who survived a sexual assault and who was just trying to protect other young women at that school from that same fate. That should be enough for every single member on the Judiciary Committee to oppose this nomination. It should be enough for every Member of this Chamber to oppose his nomination and confirmation.

Confirming Mr. Delaney would send a chilling message—a chilling message—to victims of sexual assault. No victim would ever be able to walk into his courtroom and feel that they would be treated fairly under the law after seeing the way he treated Chessy Prout.

I wanted to let Chessy speak for herself in a letter she submitted to the Judiciary Committee. My concern is that many of my colleagues in this Chamber have not seen this letter. Indeed, I am concerned that Members of the Democratic caucus who did not attend the

hearing are unaware of this letter. So I will allow her to speak.

I quote:

If Michael Delaney is confirmed—if an attorney who brazenly intimidated a minor victim of sexual assault is given the distinct privilege to serve as a judge for the United States Court of Appeals—YOU—

Meaning every single one of you who would vote for him—

—are telling victims and survivors that you not only approve of victim intimidation tactics, you reward their enactors with one of the highest legal appointments in the state of Massachusetts.

I expressed my concerns to . . . the Department of Justice when Michael Delaney was first nominated in April of 2022, and today I am urging you to vote “NO” to Michael Delaney’s nomination.

Mr. President, I ask unanimous consent that Chessy’s full letter be printed in the RECORD alongside my remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

To: Senate Judiciary Committee

From: Chessy Prout

DEAR SENATORS: My name is Chessy Prout, and I’m writing about President Biden’s nomination of Michael A. Delaney to the US Court of Appeals in Boston. I am asking that you vote “NO” to his nomination. Michael Delaney is not ethically qualified to sit on the bench.

I believe the justice system needs to serve all involved in court proceedings—the victim/complainant and the defendant/institution. A lawyer who practices victim intimidation is doing nothing for the greater good of the community; he stands in the way of justice and furthermore keeps his community in a toxic cycle of harm and silence.

I was the State of New Hampshire’s primary witness in their case against Owen Labrie in 2015. When I was fifteen years old in 2014, I was sexually assaulted by Owen Labrie during a spring rite of passage at St. Paul’s School in Concord, New Hampshire called the “senior salute”, a ritual involving upperclassmen soliciting sexual favors from underclassmen before graduation. The terminology “Senior Salute” was published in the school newspaper (a documented exhibit in the trial), the Rector Michael Hirschfeld’s wife received a “senior salute” by email from a student, and the Rector Michael Hirschfeld was the faculty advisor for a handbook outlining colloquial terms among the student body, including a definition of the “senior salute.”

During the trial of the State’s case in 2015, multiple St. Paul’s School students were called to testify to Labrie’s premeditation. The day of the students’ scheduled testimony, I walked into the Merrimack Courthouse through the back doors with a bailiff to avoid the news cameras at the front of the courthouse (I was a minor and Jane Doe in the case.) In a conference room on the first floor by the back door entrance I saw my former classmates, those who were scheduled to testify and some who were mere spectators, speaking with Michael Delaney. My father, Alexander Prout, and the director of public affairs for the New Hampshire Coalition Against Domestic and Sexual Violence, Amanda Grady Sexton, also witnessed the group assembled in the conference room. We notified state prosecutor Catherine Ruffle of what we saw.

When the students took to the stand, the pre-trial get-together Michael Delaney was involved in and seemingly coordinated on behalf of St. Paul’s School began to make

sense. The students had a new, carefully worded response when defining the “senior salute” to the jury, and all denied the school had any knowledge of the insidious nature of the ritual. From the scene that I witnessed in the courthouse conference room with the students and Michael Delaney to the new, stilted, coordinated definitions of the students testifying, I believe Michael Delaney tampered with the witnesses on behalf of his client, St. Paul’s School.

When I learned the extent to which St. Paul’s School knew of my perpetrator’s prior abuse, my family and I sued the school in 2016. Michael Delaney, in response to our suit and as St. Paul’s School’s counsel, submitted a motion to strip my anonymity. I refused to allow this textbook tactic of victim intimidation to silence me, so I came forward publicly with my name and my story in an attempt to use my voice to shed light on the experience of a teenaged survivor of sexual assault.

I remember so clearly reading Michael Delaney’s motion front to back when I came home from my new high school one day, processing what it meant, and then defiantly stating to my parents that after everything I’d been dragged through (from anonymous death and rape threats on the internet to the betrayal of and backlash from my closest friends at St. Paul’s School), I wasn’t going to let Michael Delaney’s dirty tactics bully me, then 16, into shame and silence.

When survivors of sexual harassment, assault, and abuse come forward to seek some semblance of justice, there is an army of attorneys with a tried and true playbook of tactics to discredit, pressure, and manipulate survivors and victims into silence. What these attorneys don’t seem to realize is that most survivors are simply seeking an acknowledgement of harm and an actionable plan to make their community a safer place.

Every 68 seconds, an American is sexually assaulted; every nine minutes, that victim is a child. According to the USDOJ, 63% of sexual assaults are not reported to the police. Of the 37% who do report, only 2.5% get some form of justice. This staggering statistic should give everyone, especially those in the legal field, pause.

If Michael Delaney is confirmed—if an attorney who brazenly intimidated a minor victim of sexual assault is given the distinct privilege to serve as a judge for the United States Court of Appeals—YOU are telling victims and survivors that you not only approve of victim intimidation tactics, you reward their enactors with one of the highest legal appointments in the state of Massachusetts.

I expressed my concerns to Attorney from the Department of Justice when Michael Delaney was first nominated in April 2022, and today I am urging you to vote “NO” to Michael Delaney’s nomination.

Sincerely,

CHESSY PROUT.

Mrs. BLACKBURN. The White House knew that Mr. Delaney was unfit to serve, but they nominated him anyway.

For the sake of young men and women around this country who are survivors of sexual assault, I urge President Biden to withdraw Michael Delaney’s nomination, and I call on my Democratic colleagues to urge the White House to withdraw this nomination. If they do not withdraw this nomination of a man who intimidated a minor child, exposing a minor child, who is unfit to serve—I urge you to vote no if the White House does not pull this nomination.

#### BORDER SECURITY

Mr. President, Joe Biden’s reckless border policies have allowed human trafficking and smuggling to grow into a \$13 billion industry, with criminal cartels earning up to \$14 million every day for trafficking families, women, and children into the country.

I want to be crystal clear about what is happening here. This is not some sort of humanitarian mission. The cartels are not doing this out of the goodness of their hearts. These are violent criminals who have figured out how to make millions of dollars every single day. They are kidnapping young girls and exploiting them for sex and labor over and over again.

The left wants you to believe this is a myth or that reports of trafficking and exploitation are exaggerated, but while I was down at the border, I heard from two women who can provide a mountain of evidence to the contrary.

Former Mexican Congresswoman Rosa Maria de la Garza joined us to talk about her advocacy on behalf of the survivors of this horrific abuse. She has been dedicated to this all her life. She puts her time into preventing and targeting human trafficking in her own country, and she has seen firsthand the ease with which the cartels use our open border to make a buck and how they expand the slave trade into our country, profiting from it.

We also had the chance to speak with Karla Romero, who is a survivor of cross-border sex trafficking. Karla fell into the hands of her captors when she was 12 years old and was enslaved as a sex-trafficked individual for 4 years. During that time, she estimates that she was raped over 40,000 times—a child in the hands of a cartel. That is what they did to her.

This is a humanitarian catastrophe that is enabled not only by the Biden administration’s refusal to secure the border but by incentives buried in the law that encourage criminal behavior.

At the end of last year, the Justice Department committed over \$90 million in funding to combat human trafficking. It is an incredible investment of taxpayer resources. But, unbelievably enough, the American people are subsidizing the lifestyles of these criminals even as they invest millions to bring down these trafficking rings.

As it stands right now, the law allows accused traffickers to live in government housing and receive government benefits even after they are apprehended by law enforcement and charged with a crime. If we are going to get serious about combating trafficking at the border, we need to eliminate this incentive for illegal conduct. I know it seems unbelievable that you have these cartels members who are getting U.S. Government benefits, living in government housing, and getting unemployment checks, but it is happening.

The “Remain in Mexico” policy is a prime example of how successful tactics can work. By requiring asylum

seekers to stay in Mexico while awaiting a court date, we ensured that migrants weren't rewarded for illegally crossing the border. These programs work, and that is why I, along with Senator HYDE-SMITH and Senator BRITT, introduced the Stop Taxpayer Funding of Traffickers Act. It makes clear that anyone charged with drug or human trafficking at our border cannot receive Federal Government benefits until their case is resolved. It would block them from receiving any retirement, welfare, Social Security, health, or disability benefits. It also means that traffickers would not be able to receive a grant, contract, loan, or professional or commercial license from the U.S. Government.

This is something that needs to happen. Prohibiting traffickers from receiving taxpayer funds is just plain common sense, and there is no reason why this legislation shouldn't pass the Senate immediately. I can't imagine that anyone would be for allowing these drug traffickers and sex traffickers to continue to live in government housing and receive these benefits.

In the same way that drug traffickers are directly profiting from the opioid epidemic that has killed millions of Americans, human traffickers are reaping the rewards of this administration's complacency. It is time to start paying attention to some of the details of what is happening at our southern border. The American people are paying attention, and they are waiting on this President and on this body to join them in doing something about it.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. CANTWELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### CONFIRMATION OF JAMAL N. WHITEHEAD

Ms. CANTWELL. Mr. President, I come to the floor this afternoon to support the nomination of Jamal Whitehead to serve as a judge for the U.S. District Court for the Western District of Washington. Mr. Whitehead is extremely well qualified and has demonstrated an allegiance to the rule of law throughout his very impressive law career.

My Senate colleagues on the Judiciary Committee saw what an exceptional judicial candidate Mr. Whitehead is, and they recognized how valuable his perspective would be on the Federal bench. I was pleased to see that he was voted out of committee with a bipartisan vote of 11 to 9.

Mr. Whitehead has spent his entire career in the Western District, making him uniquely knowledgeable of the district in which he will be serving. Throughout his career, he has defended workers from discrimination and en-

forced Federal employment discrimination laws. He has been dedicated to ensuring equal justice under the law and has demonstrated a profound commitment to public service.

Mr. Whitehead has also sought to promote diversity in the legal field through outreach and education and is deeply involved in the community. He serves on the Executive Committee for the ACLU of Washington as well as on the board of Amara, a child welfare organization in the Seattle and Tacoma area dedicated to meeting the needs of children and families who have been impacted by foster care.

In addition to his outstanding qualifications, Mr. Whitehead's confirmation continues the President's commitment to ensuring that the Federal bench better reflect the American public. Mr. Whitehead is the first judicial nominee by President Biden to have a physical disability. Now confirmed, he will be one of only a handful of Federal judges with a disclosed disability.

Jamal Whitehead is well prepared to serve on the U.S. District Court for the Western District of Washington. This is a historic confirmation. I am pleased to see that my colleagues supported Mr. Whitehead's confirmation to our Federal court.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WHITEHOUSE. I ask that the scheduled vote be allowed to occur immediately.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### VOTE ON MARTINEZ-OLGUIN NOMINATION

The question is, Will the Senate advise and consent to the Martinez-Olguin nomination?

Mr. WHITEHOUSE. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

(Mr. MARKEY assumed the Chair.)

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN), and the Senator from Pennsylvania (Mr. FETTERMAN), and the Senator from Oregon (Mr. MERKLEY) are necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Idaho (Mr. CRAPO).

The VICE PRESIDENT. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 48, nays 48, as follows:

[Rollcall Vote No. 30 Ex.]

#### YEAS—48

Baldwin	Hickenlooper	Rosen
Bennet	Hirono	Sanders
Blumenthal	Kaine	Schatz
Booker	Kelly	Schumer
Brown	King	Shaheen
Cantwell	Klobuchar	Sinema
Cardin	Lujan	Smith
Carper	Manchin	Stabenow
Casey	Markey	Tester
Coons	Menendez	Van Hollen
Cortez Masto	Murphy	Warner
Duckworth	Murray	Warnock
Durbin	Ossoff	Warren
Gillibrand	Padilla	Welch
Hassan	Peters	Whitehouse
Heinrich	Reed	Wyden

#### NAYS—48

Barrasso	Graham	Paul
Blackburn	Grassley	Ricketts
Boozman	Hagerty	Risch
Braun	Hawley	Romney
Britt	Hoeben	Rounds
Budd	Hyde-Smith	Rubio
Capito	Johnson	Schmitt
Cassidy	Kennedy	Scott (FL)
Collins	Lankford	Scott (SC)
Cornyn	Lee	Sullivan
Cotton	Lummis	Thune
Cramer	Marshall	Tillis
Cruz	McConnell	Tuberville
Daines	Moran	Vance
Ernst	Mullin	Wicker
Fischer	Murkowski	Young

#### NOT VOTING—4

Crapo	Fetterman
Feinstein	Merkley

The VICE PRESIDENT. On this vote, the yeas are 48, the nays are 48.

The Senate being equally divided, the Vice President votes in the affirmative, and the nomination is confirmed.

The nomination was confirmed.

The VICE PRESIDENT. Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's actions.

#### CLOTURE MOTION

The VICE PRESIDENT. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 13, Margaret R. Guzman, of Massachusetts, to be United States District Judge for the District of Massachusetts.

Charles E. Schumer, Richard J. Durbin, Jack Reed, Robert P. Casey, Jr., Mark Kelly, Patty Murray, Tim Kaine, Jeff Merkley, Sheldon Whitehouse, Elizabeth Warren, Tammy Baldwin, Benjamin L. Cardin, Jeanne Shaheen, John W. Hickenlooper, Christopher Murphy, Brian Schatz, Debbie Stabenow, Alex Padilla.

The PRESIDING OFFICER (Mr. MARKEY). By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Margaret R. Guzman, of Massachusetts, to be United States District Judge for the District of Massachusetts, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN), the Senator from Pennsylvania (Mr. FETTERMAN), and the Senator from Oregon (Mr. MERKLEY) are necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Idaho (Mr. CRAPO).

The yeas and nays resulted—yeas 48, nays 48, as follows:

[Rollcall Vote No. 31 Ex.]

YEAS—48

Baldwin	Hickenlooper	Rosen
Bennet	Hirono	Sanders
Blumenthal	Kaine	Schatz
Booker	Kelly	Schumer
Brown	King	Shaheen
Cantwell	Klobuchar	Sinema
Cardin	Lujan	Smith
Carper	Manchin	Stabenow
Casey	Markey	Tester
Coons	Menendez	Van Hollen
Cortez Masto	Murphy	Warner
Duckworth	Murray	Warnock
Durbin	Ossoff	Warren
Gillibrand	Padilla	Welch
Hassan	Peters	Whitehouse
Heinrich	Reed	Wyden

NAYS—48

Barrasso	Graham	Paul
Blackburn	Grassley	Ricketts
Boozman	Hagerty	Risch
Braun	Hawley	Romney
Britt	Hoeven	Rounds
Budd	Hyde-Smith	Rubio
Capito	Johnson	Schmitt
Cassidy	Kennedy	Scott (FL)
Collins	Lankford	Scott (SC)
Cornyn	Lee	Sullivan
Cotton	Lummis	Thune
Cramer	Marshall	Tillis
Cruz	McConnell	Tuberville
Daines	Moran	Vance
Ernst	Mullin	Wicker
Fischer	Murkowski	Young

NOT VOTING—4

Crapo	Fetterman
Feinstein	Merkley

(Mr. WARNOCK assumed the Chair.)

The VICE PRESIDENT. On this vote, the yeas are 48, the nays are 48.

The Senate being evenly divided, the Vice President votes in the affirmative.

The motion is agreed to.

EXECUTIVE CALENDAR

The VICE PRESIDENT. The clerk will report the nomination.

The legislative clerk read the nomination of Margaret R. Guzman, of Massachusetts, to be United States District Judge for the District of Massachusetts.

The PRESIDING OFFICER (Mr. WARNOCK). The Senator from Arizona.

ORDER OF PROCEDURE

Mr. KELLY. Mr. President, I ask unanimous consent that tomorrow, Wednesday, March 1, at 11:30 a.m., the Senate vote on confirmation of the Guzman nomination followed by the motion to invoke cloture on the Lawless nomination; further, that notwithstanding rule XXII, at 2:15 p.m., the

Senate vote on the motion to invoke cloture on the Grey nomination; further, that following the cloture vote on the Grey nomination, the Senate proceed to legislative session and proceed to the immediate consideration of H.J. Res. 30; that at 4 p.m., the Senate vote on passage of the joint resolution and upon disposition of the joint resolution, the Senate resume executive session and, notwithstanding rule XXII, vote on the motion to invoke cloture on the Simmons nomination.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KELLY. For the information of the Senate, there will be two rollcall votes at 11:30 a.m., one rollcall vote at 2:15 p.m., and two rollcall votes at 4 p.m.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. KELLY. Mr. President, I ask unanimous consent that the Senate proceed to legislative session for a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATE COMMITTEE ON THE JUDICIARY RULES OF PROCEDURE

Mr. DURBIN. Mr. President, I ask unanimous consent to have the enclosed rules of procedure for the Committee on the Judiciary for the 118th Congress printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

RULES OF PROCEDURE UNITED STATES SENATE COMMITTEE ON THE JUDICIARY

I. MEETINGS OF THE COMMITTEE

1. Meetings of the Committee may be called by the Chair as he or she may deem necessary on at least three calendar days' notice of the date, time, place and subject matter of the meeting, or in the alternative with the consent of the Ranking Minority Member, or pursuant to the provision of the Standing Rules of the Senate, as amended.

2. Unless a different date and time are set by the Chair pursuant to (1) of this section, Committee meetings shall be held beginning at 10:00 a.m. on Thursdays the Senate is in session, which shall be the regular meeting day for the transaction of business.

3. At the request of any member, or by action of the Chair, a bill, matter, or nomination on the agenda of the Committee may be held over until the next meeting of the Committee or for one week, whichever occurs later.

II. HEARINGS OF THE COMMITTEE

1. The Committee shall provide a public announcement of the date, time, place and subject matter of any hearing to be conducted by the Committee or any Subcommittee at least seven calendar days prior to the commencement of that hearing, unless the Chair with the consent of the Ranking Minority Member determines that good cause exists to begin such hearing at an earlier date. Witnesses shall provide a written

statement of their testimony and curriculum vitae to the Committee at least 24 hours preceding the hearings in as many copies as the Chair of the Committee or Subcommittee prescribes.

2. In the event 14 calendar days' notice of a hearing has been made, witnesses appearing before the Committee, including any witness representing a Government agency, must file with the Committee at least 48 hours preceding appearance written statements of their testimony and curriculum vitae in as many copies as the Chair of the Committee or Subcommittee prescribes.

3. In the event a witness fails timely to file the written statement in accordance with this rule, the Chair may permit the witness to testify, or deny the witness the privilege of testifying before the Committee, or permit the witness to testify in response to questions from Senators without the benefit of giving an opening statement.

III. QUORUMS

1. Seven Members of the Committee, actually present, shall constitute a quorum for the purpose of discussing business. Nine Members of the Committee, including at least two Members of the minority, shall constitute a quorum for the purpose of transacting business. No bill, matter, or nomination shall be ordered reported from the Committee, however, unless a majority of the Committee is actually present at the time such action is taken and a majority of those present support the action taken.

2. For the purpose of taking down sworn testimony, a quorum of the Committee and each Subcommittee thereof, now or hereafter appointed, shall consist of one Senator.

IV. BRINGING A MATTER TO A VOTE

The Chair shall entertain a non-debatable motion to bring a matter before the Committee to a vote. If there is objection to bring the matter to a vote without further debate, a roll call vote of the Committee shall be taken, and debate shall be terminated if the motion to bring the matter to a vote without further debate passes with eleven votes in the affirmative, one of which must be cast by the minority.

V. AMENDMENTS

1. Provided at least seven calendar days' notice of the agenda is given, and the text of the proposed bill or resolution has been made available at least seven calendar days in advance, it shall not be in order for the Committee to consider any amendment in the first degree proposed to any measure under consideration by the Committee unless such amendment has been delivered to the office of the Committee and circulated via e-mail to each of the offices by at least 5:00 p.m. the day prior to the scheduled start of the meeting.

2. It shall be in order, without prior notice, for a Member to offer a motion to strike a single section of any bill, resolution, or amendment under consideration.

3. The time limit imposed on the filing of amendments shall apply to no more than three bills identified by the Chair and included on the Committee's legislative agenda.

4. This section of the rule may be waived by agreement of the Chair and the Ranking Minority Member.

VI. PROXY VOTING

When a recorded vote is taken in the Committee on any bill, resolution, amendment, or any other question, a quorum being present, Members who are unable to attend the meeting may submit votes by proxy, in writing or by telephone, or through personal instructions. A proxy must be specific with respect to the matters it addresses.

VII. SUBCOMMITTEES

1. Any Member of the Committee may sit with any Subcommittee during its hearings

or any other meeting, but shall not have the authority to vote on any matter before the Subcommittee unless a Member of such Subcommittee.

2. Subcommittees shall be considered de novo whenever there is a change in the Subcommittee chair and seniority on the particular Subcommittee shall not necessarily apply.

3. Except for matters retained at the full Committee, matters shall be referred to the appropriate Subcommittee or Subcommittees by the Chair, except as agreed by a majority vote of the Committee or by the agreement of the Chair and the Ranking Minority Member.

4. Provided all members of the Subcommittee consent, a bill or other matter may be polled out of the Subcommittee. In order to be polled out of a Subcommittee, a majority of the members of the Subcommittee who vote must vote in favor of reporting the bill or matter to the Committee.

#### VIII. ATTENDANCE RULES

1. Official attendance at all Committee business meetings of the Committee shall be kept by the Committee Clerk. Official attendance at all Subcommittee business meetings shall be kept by the Subcommittee Clerk.

2. Official attendance at all hearings shall be kept, provided that Senators are notified by the Committee Chair and Ranking Minority Member, in the case of Committee hearings, and by the Subcommittee Chair and Ranking Minority Member, in the case of Subcommittee Hearings, 48 hours in advance of the hearing that attendance will be taken; otherwise, no attendance will be taken. Attendance at all hearings is encouraged.

#### IX. SUBPOENAS

The Chair of the Committee, with the agreement of the Ranking Member or by a vote of the Committee, may subpoena the attendance of a witness at a Committee or Subcommittee hearing or Committee deposition, or the production of memoranda, documents, records, or any other materials. Any such subpoena shall be issued upon the signature of the Chair or any other Member of the Committee designated by the Chair.

#### X. DEPOSITIONS

1. Any subpoena issued for a deposition that is to be conducted by staff shall be accompanied by a notice of deposition identifying the Majority staff officers designated by the Chair and the Minority staff officers designated by the Ranking Member to take the deposition. The Majority and Minority shall be afforded the opportunity to participate on equal terms for any deposition.

2. Unless waived by agreement of the Chair and Ranking Member, any deposition shall have at least one Member present for the duration of the deposition. All Members shall be notified of the date, time, and location of any deposition.

3. Any Member of the Committee may attend and participate in the taking of any deposition.

4. A witness at a deposition shall be examined upon oath administered by an individual authorized by law to administer oaths, or administered by any Member of the Committee if one is present.

5. Unless otherwise specified, the deposition shall be in private.

#### SENATE SELECT COMMITTEE ON INTELLIGENCE RULES OF PROCEDURE

Mr. WARNER. Mr. President, I ask unanimous consent that the rules of procedure of the Select Committee on Intelligence be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### RULES OF PROCEDURE OF THE SELECT COMMITTEE ON INTELLIGENCE

##### RULE 1. CONVENING OF MEETINGS

1.1. The regular meeting day of the Select Committee on Intelligence for the transaction of Committee business shall be every Tuesday of each month that the Senate is in session, unless otherwise directed by the Chairman.

1.2. The Chairman shall have authority, upon notice, to call such additional meetings of the Committee as the Chairman may deem necessary and may delegate such authority to any other member of the Committee.

1.3. A special meeting of the Committee may be called at any time upon the written request of five or more members of the Committee filed with the Clerk of the Committee.

1.4. In the case of any meeting of the Committee, other than a regularly scheduled meeting, the Clerk of the Committee shall notify every member of the Committee of the time and place of the meeting and shall give reasonable notice which, except in extraordinary circumstances, shall be at least 24 hours in advance of any meeting held in Washington, D.C. and at least 48 hours in the case of any meeting held outside Washington, D.C.

1.5. If five members of the Committee have made a request in writing to the Chairman to call a meeting of the Committee, and the Chairman fails to call such a meeting within seven calendar days thereafter, including the day on which the written notice is submitted, these members may call a meeting by filing a written notice with the Clerk of the Committee who shall promptly notify each member of the Committee in writing of the date and time of the meeting.

##### RULE 2. MEETING PROCEDURES

2.1. Meetings of the Committee shall be open to the public except as provided in paragraph 5(b) of Rule XXVI of the Standing Rules of the Senate.

2.2. It shall be the duty of the Staff Director to keep or cause to be kept a record of all Committee proceedings.

2.3. The Chairman of the Committee, or if the Chairman is not present the Vice Chairman, shall preside over all meetings of the Committee. In the absence of the Chairman and the Vice Chairman at any meeting, the ranking majority member, or if no majority member is present, the ranking minority member present, shall preside.

2.4. Except as otherwise provided in these Rules, decisions of the Committee shall be by a majority vote of the members present and voting. A quorum for the transaction of Committee business, including the conduct of executive sessions, shall consist of no less than one third of the Committee members, except that for the purpose of hearing witnesses, taking sworn testimony, and receiving evidence under oath, a quorum may consist of one Senator.

2.5. A vote by any member of the Committee with respect to any measure or matter being considered by the Committee may be cast by proxy if the proxy authorization (1) is in writing; (2) designates the member of the Committee who is to exercise the proxy; (3) is limited to a specific measure or matter and any amendments pertaining thereto; and (4) is signed by the member wishing to cast a vote by proxy, either by handwritten signature or autopen. Proxies shall not be considered for the establishment of a quorum.

2.6. Whenever the Committee by roll call vote reports any measure or matter, the re-

port of the Committee upon such measure or matter shall include a tabulation of the votes cast in favor of and the votes cast in opposition to such measure or matter by each member of the Committee.

##### RULE 3. SUBCOMMITTEES

Creation of subcommittees shall be by majority vote of the Committee. Subcommittees shall deal with such legislation and oversight of programs and policies as the Committee may direct. The subcommittees shall be governed by the Rules of the Committee and by such other rules they may adopt which are consistent with the Rules of the Committee. Each subcommittee created shall have a chairman and a vice chairman who are selected by the Chairman and Vice Chairman, respectively.

##### RULE 4. REPORTING OF MEASURES OR RECOMMENDATIONS

4.1. No measures or recommendations shall be reported, favorably or unfavorably, from the Committee unless a majority of the Committee is actually present and a majority concur.

4.2. In any case in which the Committee is unable to reach a unanimous decision, separate views or reports may be presented by any member or members of the Committee.

4.3. A member of the Committee who gives notice of intention to file supplemental, minority, or additional views at the time of final Committee approval of a measure or matter, shall be entitled to not less than three weekdays in which to file such views, in writing with the Clerk of the Committee. Such views shall then be included in the Committee report and printed in the same volume, as a part thereof, and their inclusion shall be noted on the cover of the report.

4.4. Routine, non-legislative actions required of the Committee may be taken in accordance with procedures that have been approved by the Committee pursuant to these Committee Rules.

##### RULE 5. NOMINATIONS

5.1. Unless otherwise ordered by a joint determination made by the Chairman and Vice Chairman, nominations referred to the Committee shall be held for at least 14 calendar days before being voted on by the Committee.

5.2. Each member of the Committee shall be promptly furnished a copy of all nominations referred to the Committee.

5.3. Nominees who are invited to appear before the Committee shall be heard in public session, except as provided in Rule 2.1.

5.4. No confirmation hearing shall be held sooner than seven calendar days after receipt of the background questionnaire, financial disclosure statement, and responses to additional pre-hearing questions, if transmitted, unless the time limit is waived by a majority vote of the Committee.

5.5. The Committee vote to report a nomination shall not be sooner than 48 hours after the Committee has received transcripts of the confirmation hearing and responses to post-hearing questions for the record, if transmitted, unless the time limit is waived by unanimous consent of the Committee.

5.6. No nomination shall be reported to the Senate unless the nominee has filed a response to the Committee's background questionnaire and financial disclosure statement with the Committee.

##### RULE 6. INVESTIGATIONS

No investigation shall be initiated by the Committee unless at least five members of the Committee have specifically requested the Chairman or the Vice Chairman to authorize such an investigation. Authorized investigations may be conducted by members of the Committee and/or designated Committee staff members.

## RULE 7. SUBPOENAS

Subpoenas authorized by the Committee for the attendance of witnesses or the production of memoranda, documents, records, or any other material may be issued by the Chairman, the Vice Chairman, or any member of the Committee designated by the Chairman, and may be served by any person designated by the Chairman, Vice Chairman or member issuing the subpoenas. Each subpoena shall have attached thereto a copy of S. Res. 400 of the 94th Congress, and a copy of these rules.

## RULE 8. PROCEDURES RELATED TO THE TAKING OF TESTIMONY

8.1. Notice.—Witnesses required to appear before the Committee shall be given reasonable notice and all witnesses shall be furnished a copy of these Rules.

8.2. Oath or Affirmation.—At the direction of the Chairman or Vice Chairman, testimony of witnesses may be given under oath or affirmation which may be administered by any member of the Committee.

8.3. Questioning.—Committee questioning of witnesses shall be conducted by members of the Committee and such Committee staff as are authorized by the Chairman, Vice Chairman, or the presiding member.

8.4. Counsel for the Witness.—(a) Generally. Any witness may be accompanied by counsel, subject to the requirement of paragraph (b).

(b) Counsel Clearances Required. In the event that a meeting of the Committee has been closed because the subject matter was classified in nature, counsel accompanying a witness before the Committee must possess the requisite security clearance and provide proof of such clearance to the Committee at least 24 hours prior to the meeting at which the counsel intends to be present. A witness who is unable to obtain counsel may inform the Committee of such fact. If the witness informs the Committee of this fact at least 24 hours prior to his or her appearance before the Committee, the Committee shall then endeavor to obtain voluntary counsel for the witness. Failure to obtain such counsel will not excuse the witness from appearing and testifying.

(c) Conduct of Counsel for the Witness. Counsel for witnesses appearing before the Committee shall conduct themselves in an ethical and professional manner at all times in their dealings with the Committee. Failure to do so shall, upon a finding to that effect by a majority of the members present, subject such counsel to disciplinary action which may include warning, censure, removal, or a recommendation of contempt proceedings.

(d) Role of Counsel for Witness. There shall be no direct or cross-examination by counsel for the witness. However, counsel for the witness may submit any question in writing to the Committee and request the Committee to propound such question to the counsel's client or to any other witness. The counsel for the witness also may suggest the presentation of other evidence or the calling of other witnesses. The Committee may use or dispose of such questions or suggestions as it deems appropriate.

8.5. Statements by Witnesses.—Witnesses may make brief and relevant statements at the beginning and conclusion of their testimony. Such statements shall not exceed a reasonable period of time as determined by the Chairman, or other presiding members. Any witness required or desiring to make a prepared or written statement for the record of the proceedings shall file a paper and electronic copy with the Clerk of the Committee, and insofar as practicable and consistent with the notice given, shall do so at least 48 hours in advance of his or her appearance be-

fore the Committee, unless the Chairman and Vice Chairman determine there is good cause for noncompliance with the 48 hours requirement.

8.6. Objections and Rulings.—Any objection raised by a witness or counsel shall be ruled upon by the Chairman or other presiding member, and such ruling shall be the ruling of the Committee unless a majority of the Committee present overrules the ruling of the chair.

8.7. Inspection and Correction.—All witnesses testifying before the Committee shall be given a reasonable opportunity to inspect, in the office of the Committee, the transcript of their testimony to determine whether such testimony was correctly transcribed. The witness may be accompanied by counsel. Any corrections the witness desires to make in the transcript shall be submitted in writing to the Committee within five days from the date when the transcript was made available to the witness. Corrections shall be limited to grammar and minor editing, and may not be made to change the substance of the testimony. Any questions arising with respect to such corrections shall be decided by the Chairman. Upon request, the Committee may provide to a witness those parts of testimony given by that witness in executive session which are subsequently quoted or made part of a public record, at the expense of the witness.

8.8. Requests To Testify.—The Committee will consider requests to testify on any matter or measure pending before the Committee. A person who believes that testimony or other evidence presented at a public hearing, or any comment made by a Committee member or a member of the Committee staff, may tend to affect adversely that person's reputation, may request in writing to appear personally before the Committee to testify or may file a sworn statement of facts relevant to the testimony, evidence, or comment, or may submit to the Chairman proposed questions in writing for the questioning of other witnesses. The Committee shall take such action as it deems appropriate.

8.9. Contempt Procedures.—No recommendation that a person be cited for contempt of Congress or that a subpoena be otherwise enforced shall be forwarded to the Senate unless and until the Committee has, upon notice to all its members, met and considered the recommendation, afforded the person an opportunity to address such contempt recommendation or subpoena enforcement proceeding either in writing or in person, and agreed by majority vote of the Committee to forward such recommendation to the Senate.

8.10. Release of Name of Witness.—Unless authorized by the Chairman, the name of any witness scheduled to be heard by the Committee shall not be released prior to, or after, appearing before the Committee. Upon authorization by the Chairman to release the name of a witness under this paragraph, the Vice Chairman shall be notified of such authorization as soon as practicable thereafter. No name of any witness shall be released if such release would disclose classified information, unless authorized under Section 8 of S. Res. 400 of the 94th Congress or Rule 9.7.

## RULE 9. PROCEDURES FOR HANDLING CLASSIFIED OR COMMITTEE SENSITIVE MATERIAL

9.1. Committee staff offices shall operate under strict security procedures administered by the Committee Security Director under the direct supervision of the Staff Director and Minority Staff Director. At least one United States Capitol Police Officer shall be on duty at all times at the entrance of the Committee to control entry. Before entering the Committee office space all per-

sons shall identify themselves and provide identification as requested.

9.2. Classified documents and material shall be stored in authorized security containers located within the Committee's Sensitive Compartmented Information Facility (SCIF). Copying, duplicating, or removing from the Committee offices of such documents and other materials is strictly prohibited except as is necessary for the conduct of Committee business, and as provided by these Rules. All classified documents or materials removed from the Committee offices for such authorized purposes must be returned to the Committee's SCIF for overnight storage.

9.3. "Committee sensitive" means information or material that pertains to the confidential business or proceedings of the Select Committee on Intelligence, within the meaning of paragraph 5 of Rule XXIX of the Standing Rules of the Senate, and is: (1) in the possession or under the control of the Committee; (2) discussed or presented in an executive session of the Committee; (3) the work product of a Committee member or staff member; (4) properly identified or marked by a Committee member or staff member who authored the document; or (5) designated as such by the Chairman and Vice Chairman (or by the Staff Director and Minority Staff Director acting on their behalf). Committee sensitive documents and materials that are classified shall be handled in the same manner as classified documents and material in Rule 9.2. Unclassified committee sensitive documents and materials shall be stored in a manner to protect against unauthorized disclosure.

9.4. Each member of the Committee shall at all times have access to all papers and other material received from any source. The Staff Director shall be responsible for the maintenance, under appropriate security procedures, of a document control and accountability registry which will number and identify all classified papers and other classified materials in the possession of the Committee, and such registry shall be available to any member of the Committee.

9.5. Whenever the Select Committee on Intelligence makes classified material available to any other committee of the Senate or to any member of the Senate not a member of the Committee, such material shall be accompanied by a verbal or written notice to the recipients advising of their responsibility to protect such materials pursuant to section 8 of S. Res. 400 of the 94th Congress. The Security Director of the Committee shall ensure that such notice is provided and shall maintain a written record identifying the particular information transmitted and the committee or members of the Senate receiving such information.

9.6. Access to classified information supplied to the Committee shall be limited to those Committee staff members with appropriate security clearance and a need-to-know, as determined by the Committee, and, under the Committee's direction, the Staff Director and Minority Staff Director.

9.7. No member of the Committee or of the Committee staff shall disclose, in whole or in part or by way of summary, the contents of any classified or committee sensitive papers, materials, briefings, testimony, or other information received by, or in the possession of, the Committee to any other person, except as specified in this rule. Committee members and staff do not need prior approval to disclose classified or committee sensitive information to persons in the Executive branch, the members and staff of the House Permanent Select Committee on Intelligence, and the members and staff of the Senate, provided that the following conditions are met: (1) for classified information,

the recipients of the information must possess appropriate security clearances (or have access to the information by virtue of their office); (2) for all information, the recipients of the information must have a need-to-know such information for an official governmental purpose; and (3) for all information, the Committee members and staff who provide the information must be engaged in the routine performance of Committee legislative or oversight duties. Otherwise, classified and committee sensitive information may only be disclosed to persons outside the Committee (to include any congressional committee, Member of Congress, congressional staff, or specified non-governmental persons who support intelligence activities) with the prior approval of the Chairman and Vice Chairman of the Committee, or the Staff Director and Minority Staff Director acting on their behalf, consistent with the requirements that classified information may only be disclosed to persons with appropriate security clearances and a need-to-know such information for an official governmental purpose. Public disclosure of classified information in the possession of the Committee may only be authorized in accordance with Section 8 of S. Res. 400 of the 94th Congress.

9.8. Failure to abide by Rule 9.7 shall constitute grounds for referral to the Select Committee on Ethics pursuant to Section 8 of S. Res. 400 of the 94th Congress. Prior to a referral to the Select Committee on Ethics pursuant to Section 8 of S. Res. 400, the Chairman and Vice Chairman shall notify the Majority Leader and Minority Leader.

9.9. Before the Committee makes any decision regarding the disposition of any testimony, papers, or other materials presented to it, the Committee members shall have a reasonable opportunity to examine all pertinent testimony, papers, and other materials that have been obtained by the members of the Committee or the Committee staff.

9.10. Attendance of persons outside the Committee at closed meetings of the Committee shall be kept at a minimum and shall be limited to persons with appropriate security clearance and a need-to-know the information under consideration for the execution of their official duties. The Security Director of the Committee may require that notes taken at such meetings by any person in attendance shall be returned to the secure storage area in the Committee's offices at the conclusion of such meetings, and may be made available to the department, agency, office, committee, or entity concerned only in accordance with the security procedures of the Committee.

9.11. Attendance of agencies or entities that were not formally invited to a closed proceeding of the Committee shall not be admitted to the closed meeting except upon advance permission from the Chairman and Vice Chairman, or by the Staff Director and Minority Staff Director acting on their behalf.

#### RULE 10. STAFF

10.1. For purposes of these rules, Committee staff includes employees of the Committee, consultants to the Committee, or any other person engaged by contract or otherwise to perform services for or at the request of the Committee. To the maximum extent practicable, the Committee shall rely on its full-time employees to perform all staff functions. No individual may be retained as staff of the Committee or to perform services for the Committee unless that individual holds appropriate security clearances.

10.2. The appointment of Committee staff shall be approved by the Chairman and Vice Chairman, acting jointly, or, at the initiative of both or either be confirmed by a ma-

majority vote of the Committee. After approval or confirmation, the Chairman shall certify Committee staff appointments to the Financial Clerk of the Senate in writing. No Committee staff shall be given access to any classified information or regular access to the Committee offices until such Committee staff has received an appropriate security clearance as described in Section 6 of S. Res. 400 of the 94th Congress.

10.3. The Committee staff works for the Committee as a whole, under the supervision of the Chairman and Vice Chairman of the Committee. The duties of the Committee staff shall be performed, and Committee staff personnel affairs and day-to-day operations, including security and control of classified documents and material, shall be administered under the direct supervision and control of the Staff Director. All Committee staff shall work exclusively on intelligence oversight issues for the Committee. The Minority Staff Director and the Minority Counsel shall be kept fully informed regarding all matters and shall have access to all material in the files of the Committee.

10.4. The Committee staff shall assist the minority as fully as the majority in the expression of minority views, including assistance in the preparation and filing of additional, separate, and minority views, to the end that all points of view may be fully considered by the Committee and the Senate.

10.5. The members of the Committee staff shall not discuss either the substance or procedure of the work of the Committee with any person not a member of the Committee or the Committee staff for any purpose or in connection with any proceeding, judicial or otherwise, either during their tenure as a member of the Committee staff or at any time thereafter, except as directed by the Committee in accordance with Section 8 of S. Res. 400 of the 94th Congress and the provisions of these rules, or in the event of the termination of the Committee, in such a manner as may be determined by the Senate. The Chairman may authorize the Staff Director and the Staff Director's designee, and the Vice Chairman may authorize the Minority Staff Director and the Minority Staff Director's designee, to communicate with the media in a manner that does not divulge classified or committee sensitive information.

10.6. No member of the Committee staff shall be employed by the Committee unless and until such a member of the Committee staff agrees in writing, as a condition of employment, to abide by the conditions of the nondisclosure agreement promulgated by the Select Committee on Intelligence, pursuant to Section 6 of S. Res. 400 of the 94th Congress, and to abide by the Committee's code of conduct.

10.7. As a precondition for employment on the Committee, each member of the Committee staff must agree in writing to notify the Committee of any request for testimony, either during service as a member of the Committee staff or at any time thereafter with respect to information obtained by virtue of employment as a member of the Committee staff. Such information shall not be disclosed in response to such requests, except as directed by the Committee in accordance with Section 8 of S. Res. 400 of the 94th Congress and the provisions of these rules or, in the event of the termination of the Committee, in such a manner as may be determined by the Senate.

10.8. The Committee shall immediately consider action to be taken in the case of any member of the Committee staff who fails to conform to any of these Rules. Such disciplinary action may include, but shall not be limited to, revocation of the Committee sponsorship of the staff person's security

clearance and immediate dismissal from the Committee staff.

10.9. Within the Committee staff shall be an element with the capability to perform audits of programs and activities undertaken by departments and agencies with intelligence functions. The audit element shall conduct audits and oversight projects that have been specifically authorized by the Chairman and Vice Chairman of the Committee, acting jointly through the Staff Director and Minority Staff Director. Staff shall be assigned to such element jointly by the Chairman and Vice Chairman, and staff with the principal responsibility for the conduct of an audit shall be qualified by training or experience in accordance with accepted auditing standards.

10.10. The workplace of the Committee shall be free from illegal use, possession, sale, or distribution of controlled substances by its employees. Any violation of such policy by any member of the Committee staff shall be grounds for termination of employment. Further, any illegal use of controlled substances by a member of the Committee staff, within the workplace or otherwise, shall result in reconsideration of the security clearance of any such staff member and may constitute grounds for termination of employment with the Committee.

10.11. All personnel actions affecting the staff of the Committee shall be made free from any discrimination based on race, color, religion, sex, national origin, age, handicap, or disability.

#### RULE 11. PREPARATION FOR COMMITTEE MEETINGS

11.1. Under direction of the Chairman and the Vice Chairman designated Committee staff members shall brief members of the Committee at a time sufficiently prior to any Committee meeting to assist the Committee members in preparation for such meeting and to determine any matter which the Committee member might wish considered during the meeting. Such briefing shall, at the request of a member, include a list of all pertinent papers and other materials that have been obtained by the Committee that bear on matters to be considered at the meeting.

11.2. The Staff Director and/or Minority Staff Director may recommend to the Chairman and the Vice Chairman the testimony, papers, and other materials to be presented to the Committee at any meeting. The determination whether such testimony, papers, and other materials shall be presented in open or executive session shall be made pursuant to the Rules of the Senate and Rules of the Committee.

11.3. The Staff Director shall ensure that covert action programs of the U.S. Government receive appropriate consideration by the Committee no less frequently than once a quarter.

#### RULE 12. LEGISLATIVE CALENDAR

12.1. The Clerk of the Committee shall maintain a calendar for the information of each Committee member showing the measures introduced and referred to the Committee and the status of such measures; nominations referred to the Committee and their status; and such other matters as the Committee determines shall be included. The calendar shall be available to all members of the Committee.

12.2. Measures referred to the Committee may be referred by the Chairman and/or Vice Chairman to the appropriate department or agency of the Government for reports thereon.

#### RULE 13. COMMITTEE TRAVEL

No member of the Committee or Committee Staff shall travel on Committee business unless specifically authorized by the

Chairman and Vice Chairman. Requests for authorization of such travel shall state the purpose and extent of the trip. A full report shall be filed with the Committee when travel is completed.

RULE 14. SUSPENSION AND AMENDMENT OF THE RULES

(a) These Rules may be modified, amended, or repealed by the Committee, provided that a notice in writing of the proposed change has been given to each member at least 48 hours prior to the meeting at which action thereon is to be taken.

(b) These Rules shall continue and remain in effect from one Congress to the next Congress unless they are changed as provided herein.

APPENDIX A

S. RES. 400, 94TH CONG., 2D SESS. (1976)

*Resolved*, That it is the purpose of this resolution to establish a new select committee of the Senate, to be known as the Select Committee on Intelligence, to oversee and make continuing studies of the intelligence activities and programs of the United States Government, and to submit to the Senate appropriate proposals for legislation and report to the Senate concerning such intelligence activities and programs. In carrying out this purpose, the Select Committee on Intelligence shall make every effort to assure that the appropriate departments and agencies of the United States provide informed and timely intelligence necessary for the executive and legislative branches to make sound decisions affecting the security and vital interests of the Nation. It is further the purpose of this resolution to provide vigilant legislative oversight over the intelligence activities of the United States to assure that such activities are in conformity with the Constitution and laws of the United States.

SEC. 2.(a)(1) There is hereby established a select committee to be known as the Select Committee on Intelligence (hereinafter in this resolution referred to as the "select committee"). The select committee shall be composed of not to exceed fifteen Members appointed as follows:

(A) two members from the Committee on Appropriations;

(B) two members from the Committee on Armed Services;

(C) two members from the Committee on Foreign Relations;

(D) two members from the Committee on the Judiciary; and

(E) not to exceed seven members to be appointed from the Senate at large.

(2) Members appointed from each committee named in clauses (A) through (D) of paragraph (1) shall be evenly divided between the two major political parties and shall be appointed by the President pro tempore of the Senate upon the recommendations of the majority and minority leaders of the Senate. Of any members appointed under paragraph (1)(E), the majority leader shall appoint the majority members and the minority leader shall appoint the minority members, with the majority having a one vote margin.

(3)(A) The majority leader of the Senate and the minority leader of the Senate shall be ex officio members of the select committee but shall have no vote in the Committee and shall not be counted for purposes of determining a quorum.

(B) The Chairman and Ranking Member of the Committee on Armed Services (if not already a member of the select Committee) shall be ex officio members of the select Committee but shall have no vote in the Committee and shall not be counted for purposes of determining a quorum.

(b) At the beginning of each Congress, the Majority Leader of the Senate shall select a

chairman of the select Committee and the Minority Leader shall select a vice chairman for the select Committee. The vice chairman shall act in the place and stead of the chairman in the absence of the chairman. Neither the chairman nor the vice chairman of the select committee shall at the same time serve as chairman or ranking minority member of any other committee referred to in paragraph 4(e)(1) of rule XXV of the Standing Rules of the Senate.

(c) The select Committee may be organized into subcommittees. Each subcommittee shall have a chairman and a vice chairman who are selected by the Chairman and Vice Chairman of the select Committee, respectively.

SEC. 3.(a) There shall be referred to the select committee all proposed legislation, messages, petitions, memorials, and other matters relating to the following:

(1) The Office of the Director of National Intelligence and the Director of National Intelligence.

(2) The Central Intelligence Agency and the Director of the Central Intelligence Agency.

(3) Intelligence activities of all other departments and agencies of the Government, including, but not limited to, the intelligence activities of the Defense Intelligence Agency, the National Security Agency, and other agencies of the Department of Defense; the Department of State; the Department of Justice; and the Department of the Treasury.

(4) The organization or reorganization of any department or agency of the Government to the extent that the organization or reorganization relates to a function or activity involving intelligence activities.

(5) Authorizations for appropriations, both direct and indirect, for the following:

(A) The Office of the Director of National Intelligence and the Director of National Intelligence.

(B) The Central Intelligence Agency and the Director of the Central Intelligence Agency.

(C) The Defense Intelligence Agency.

(D) The National Security Agency.

(E) The intelligence activities of other agencies and subdivisions of the Department of Defense.

(F) The intelligence activities of the Department of State.

(G) The intelligence activities of the Federal Bureau of Investigation.

(H) Any department, agency, or subdivision which is the successor to any agency named in clause (A), (B), (C) or (D); and the activities of any department, agency, or subdivision which is the successor to any department, agency, bureau, or subdivision named in clause (E), (F), or (G) to the extent that the activities of such successor department, agency, or subdivision are activities described in clause (E), (F), or (G).

(b)(1) Any proposed legislation reported by the select Committee except any legislation involving matters specified in clause (1), (2), (5)(A), or (5)(B) of subsection (a), containing any matter otherwise within the jurisdiction of any standing committee shall, at the request of the chairman of such standing committee, be referred to such standing committee for its consideration of such matter and be reported to the Senate by such standing committee within 10 days after the day on which such proposed legislation, in its entirety and including annexes, is referred to such standing committee; and any proposed legislation reported by any committee, other than the select Committee, which contains any matter within the jurisdiction of the select Committee shall, at the request of the chairman of the select Committee, be referred to the select Committee for its consid-

eration of such matter and be reported to the Senate by the select Committee within 10 days after the day on which such proposed legislation, in its entirety and including annexes, is referred to such committee.

(2) In any case in which a committee fails to report any proposed legislation referred to it within the time limit prescribed in this subsection, such Committee shall be automatically discharged from further consideration of such proposed legislation on the 10th day following the day on which such proposed legislation is referred to such committee unless the Senate provides otherwise, or the Majority Leader or Minority Leader request, prior to that date, an additional 5 days on behalf of the Committee to which the proposed legislation was sequentially referred. At the end of that additional 5 day period, if the Committee fails to report the proposed legislation within that 5 day period, the Committee shall be automatically discharged from further consideration of such proposed legislation unless the Senate provides otherwise.

(3) In computing any 10 or 5 day period under this subsection there shall be excluded from such computation any days on which the Senate is not in session.

(4) The reporting and referral processes outlined in this subsection shall be conducted in strict accordance with the Standing Rules of the Senate. In accordance with such rules, committees to which legislation is referred are not permitted to make changes or alterations to the text of the referred bill and its annexes, but may propose changes or alterations to the same in the form of amendments.

(c) Nothing in this resolution shall be construed as prohibiting or otherwise restricting the authority of any other committee to study and review any intelligence activity to the extent that such activity directly affects a matter otherwise within the jurisdiction of such committee.

(d) Nothing in this resolution shall be construed as amending, limiting, or otherwise changing the authority of any standing committee of the Senate to obtain full and prompt access to the product of the intelligence activities of any department or agency of the Government relevant to a matter otherwise within the jurisdiction of such committee.

SEC. 4.(a) The select committee, for the purposes of accountability to the Senate, shall make regular and periodic, but not less than quarterly, reports to the Senate on the nature and extent of the intelligence activities of the various departments and agencies of the United States. Such committee shall promptly call to the attention of the Senate or to any other appropriate committee or committees of the Senate any matters requiring the attention of the Senate or such other committee or committees. In making such report, the select committee shall proceed in a manner consistent with section 8(c)(2) to protect national security.

(b) The select committee shall obtain an annual report from the Director of National Intelligence, the Director of the Central Intelligence Agency, the Secretary of Defense, the Secretary of State, and the Director of the Federal Bureau of Investigation. Such reports shall review the intelligence activities of the agency or department concerned and the intelligence activities of foreign countries directed at the United States or its interest. An unclassified version of each report may be made available to the public at the discretion of the select committee. Nothing herein shall be construed as requiring the public disclosure in such reports of the names of individuals engaged in intelligence activities for the United States or the divulging of intelligence methods employed or

the sources of information on which such reports are based or the amount of funds authorized to be appropriated for intelligence activities.

(c) On or before March 15 of each year, the select committee shall submit to the Committee on the Budget of the Senate the views and estimates described in section 301(c) of the Congressional Budget Act of 1974 regarding matters within the jurisdiction of the select committee.

SEC. 5.(a) For the purposes of this resolution, the select committee is authorized in its discretion (1) to make investigations into any matter within its jurisdiction, (2) to make expenditures from the contingent fund of the Senate, (3) to employ personnel, (4) to hold hearings, (5) to sit and act at any time or place during the sessions, recesses, and adjourned periods of the Senate, (6) to require, by subpoena or otherwise, the attendance of witnesses and the production of correspondence, books, papers, and documents, (7) to take depositions and other testimony, (8) to procure the service of individual consultants or organizations thereof, in accordance with the provisions of section 202(i) of the Legislative Reorganization Act of 1946, and (9) with the prior consent of the government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such department or agency.

(b) The chairman of the select committee or any member thereof may administer oaths to witnesses.

(c) Subpoenas authorized by the select committee may be issued over the signature of the chairman, the vice chairman or any member of the select committee designated by the chairman, and may be served by any person designated by the chairman or any member signing the subpoenas.

SEC. 6. No employee of the select committee or any person engaged by contract or otherwise to perform services for or at the request of such committee shall be given access to any classified information by such committee unless such employee or person has (1) agreed in writing and under oath to be bound by the rules of the Senate (including the jurisdiction of the Select Committee on Ethics) and of such committee as to the security of such information during and after the period of his employment or contractual agreement with such committee; and (2) received an appropriate security clearance as determined by such committee in consultation with the Director of National Intelligence. The type of security clearance to be required in the case of any such employee or person shall, within the determination of such committee in consultation with the Director of National Intelligence, be commensurate with the sensitivity of the classified information to which such employee or person will be given access by such committee.

SEC. 7. The select committee shall formulate and carry out such rules and procedures as it deems necessary to prevent the disclosure, without the consent of the person or persons concerned, of information in the possession of such committee which unduly infringes upon the privacy or which violates the constitutional rights of such person or persons. Nothing herein shall be construed to prevent such committee from publicly disclosing any such information in any case in which such committee determines the national interest in the disclosure of such information clearly outweighs any infringement on the privacy of any person or persons.

SEC. 8. (a) The select committee may, subject to the provisions of this section, disclose publicly any information in the possession of such committee after a determination by

such committee that the public interest would be served by such disclosure. Whenever committee action is required to disclose any information under this section, the committee shall meet to vote on the matter within five days after any member of the committee requests such a vote. No member of the select committee shall disclose any information, the disclosure of which requires a committee vote, prior to a vote by the committee on the question of the disclosure of such information or after such vote except in accordance with this section.

(b)(1) In any case in which the select committee votes to disclose publicly any information which has been classified under established security procedures, which has been submitted to it by the Executive branch, and which the Executive branch requests be kept secret, such committee shall—

(A) first, notify the Majority Leader and Minority Leader of the Senate of such vote; and

(B) second, consult with the Majority Leader and Minority Leader before notifying the President of such vote.

(2) The select committee may disclose publicly such information after the expiration of a five-day period following the day on which notice of such vote is transmitted to the Majority Leader and the Minority Leader and the President, unless, prior to the expiration of such five-day period, the President, personally in writing, notifies the committee that he objects to the disclosure of such information, provides his reasons therefore, and certifies that the threat to the national interest of the United States posed by such disclosure is of such gravity that it outweighs any public interest in the disclosure.

(3) If the President, personally, in writing, notifies the Majority Leader and Minority Leader of the Senate and the select Committee of his objections to the disclosure of such information as provided in paragraph (2), the Majority Leader and Minority Leader jointly or the select Committee, by majority vote, may refer the question of the disclosure of such information to the Senate for consideration.

(4) Whenever the select committee votes to refer the question of disclosure of any information to the Senate under paragraph (3), the Chairman shall not later than the first day on which the Senate is in session following the day on which the vote occurs, report the matter to the Senate for its consideration.

(5) One hour after the Senate convenes on the fourth day on which the Senate is in session following the day on which any such matter is reported to the Senate, or at such earlier time as the majority leader and the minority leader of the Senate jointly agree upon in accordance with paragraph 5 of rule XVII of the Standing Rules of the Senate, the Senate shall go into closed session and the matter shall be the pending business. In considering the matter in closed session the Senate may—

(A) approve the public disclosure of all or any portion of the information in question, in which case the committee shall publicly disclose the information ordered to be disclosed,

(B) disapprove the public disclosure of all or any portion of the information in question, in which case the committee shall not publicly disclose the information ordered not to be disclosed, or

(C) refer all or any portion of the matter back to the committee, in which case the committee shall make the final determination with respect to the public disclosure of the information in question.

Upon conclusion of the consideration of such matter in closed session, which may not

extend beyond the close of the ninth day on which the Senate is in session following the day on which such matter was reported to the Senate, or the close of the fifth day following the day agreed upon jointly by the majority and minority leaders in accordance with paragraph 5 of rule XVII of the Standing Rules of the Senate (whichever the case may be), the Senate shall immediately vote on the disposition of such matter in open session, without debate, and without divulging the information with respect to which the vote is being taken. The Senate shall vote to dispose of such matter by one or more of the means specified in clauses (A), (B), and (C) of the second sentence of this paragraph. Any vote of the Senate to disclose any information pursuant to this paragraph shall be subject to the right of a Member of the Senate to move for reconsideration of the vote within the time and pursuant to the procedures specified in rule XIII of the Standing Rules of the Senate, and the disclosure of such information shall be made consistent with that right.

(c)(1) No information in the possession of the select committee relating to the lawful intelligence activities of any department or agency of the United States which has been classified under established security procedures and which the select committee, pursuant to subsection (a) or (b) of this section, has determined should not be disclosed shall be made available to any person by a Member, officer, or employee of the Senate except in a closed session of the Senate or as provided in paragraph (2).

(2) The select committee may, under such regulations as the committee shall prescribe to protect the confidentiality of such information, make any information described in paragraph (1) available to any other committee or any other Member of the Senate. Whenever the select committee makes such information available, the committee shall keep a written record showing, in the case of any particular information, which committee or which Members of the Senate received such information. No Member of the Senate who, and no committee which, receives any information under this subsection, shall disclose such information except in a closed session of the Senate.

(d) It shall be the duty of the Select Committee on Ethics to investigate any unauthorized disclosure of intelligence information by a Member, officer or employee of the Senate in violation of subsection (c) and to report to the Senate concerning any allegation which it finds to be substantiated.

(e) Upon the request of any person who is subject to any such investigation, the Select Committee on Ethics shall release to such individual at the conclusion of its investigation a summary of its investigation together with its findings. If, at the conclusion of its investigation, the Select Committee on Ethics determines that there has been a significant breach of confidentiality or unauthorized disclosure by a Member, officer, or employee of the Senate, it shall report its findings to the Senate and recommend appropriate action such as censure, removal from committee membership, or expulsion from the Senate, in the case of a Member, or removal from office or employment or punishment for contempt, in the case of an officer or employee.

SEC. 9. The select committee is authorized to permit any personal representative of the President, designated by the President to serve as a liaison to such committee, to attend any closed meeting of such committee.

SEC. 10. Upon expiration of the Select Committee on Governmental Operations With Respect to Intelligence Activities, established by Senate Resolution 21, Ninety-fourth Congress, all records, files, documents, and other materials in the possession,

custody, or control of such committee, under appropriate conditions established by it, shall be transferred to the select committee.

SEC. 11. (a) It is the sense of the Senate that the head of each department and agency of the United States should keep the select committee fully and currently informed with respect to intelligence activities, including any significant anticipated activities, which are the responsibility of or engaged in by such department or agency. Provided, That this does not constitute a condition precedent to the implementation of any such anticipated intelligence activity.

(b) It is the sense of the Senate that the head of any department or agency of the United States involved in any intelligence activities should furnish any information or document in the possession, custody, or control of the department or agency, or person paid by such department or agency, whenever requested by the select committee with respect to any matter within such committee's jurisdiction.

(c) It is the sense of the Senate that each department and agency of the United States should report immediately upon discovery to the select committee any and all intelligence activities which constitute violations of the constitutional rights of any person, violations of law, or violations of Executive orders, Presidential directives, or departmental or agency rules or regulations; each department and agency should further report to such committee what actions have been taken or are expected to be taken by the departments or agencies with respect to such violations.

SEC. 12. Subject to the Standing Rules of the Senate, no funds shall be appropriated for any fiscal year beginning after September 30, 1976, with the exception of a continuing bill or resolution, or amendment thereto, or conference report thereon, to, or for use of, any department or agency of the United States to carry out any of the following activities, unless such funds shall have been previously authorized by a bill or joint resolution passed by the Senate during the same or preceding fiscal year to carry out such activity for such fiscal year:

(1) The activities of the Office of the Director of National Intelligence and the Director of National Intelligence.

(2) The activities of the Central Intelligence Agency and the Director of the Central Intelligence Agency.

(3) The activities of the Defense Intelligence Agency.

(4) The activities of the National Security Agency.

(5) The intelligence activities of other agencies and subdivisions of the Department of Defense.

(6) The intelligence activities of the Department of State.

(7) The intelligence activities of the Federal Bureau of Investigation.

SEC. 13. (a) The select committee shall make a study with respect to the following matters, taking into consideration with respect to each such matter, all relevant aspects of the effectiveness of planning, gathering, use, security, and dissemination of intelligence:

(1) the quality of the analytical capabilities of United States foreign intelligence agencies and means for integrating more closely analytical intelligence and policy formulation;

(2) the extent and nature of the authority of the departments and agencies of the Executive branch to engage in intelligence activities and the desirability of developing charters for each intelligence agency or department;

(3) the organization of intelligence activities in the Executive branch to maximize the

effectiveness of the conduct, oversight, and accountability of intelligence activities; to reduce duplication or overlap; and to improve the morale of the personnel of the foreign intelligence agencies;

(4) the conduct of covert and clandestine activities and the procedures by which Congress is informed of such activities;

(5) the desirability of changing any law, Senate rule or procedure, or any Executive order, rule, or regulation to improve the protection of intelligence secrets and provide for disclosure of information for which there is no compelling reason for secrecy;

(6) the desirability of establishing a standing committee of the Senate on intelligence activities;

(7) the desirability of establishing a joint committee of the Senate and the House of Representatives on intelligence activities in lieu of having separate committees in each House of Congress, or of establishing procedures under which separate committees on intelligence activities of the two Houses of Congress would receive joint briefings from the intelligence agencies and coordinate their policies with respect to the safeguarding of sensitive intelligence information;

(8) the authorization of funds for the intelligence activities of the Government and whether disclosure of any of the amounts of such funds is in the public interest; and

(9) the development of a uniform set of definitions for terms to be used in policies or guidelines which may be adopted by the executive or legislative branches to govern, clarify, and strengthen the operation of intelligence activities.

(b) The select committee may, in its discretion, omit from the special study required by this section any matter it determines has been adequately studied by the Select Committee To Study Governmental Operations With Respect to Intelligence Activities, established by Senate Resolution 21, Ninety-fourth Congress.

(c) The select committee shall report the results of the study provided for by this section to the Senate, together with any recommendations for legislative or other actions it deems appropriate, no later than July 1, 1977, and from time to time thereafter as it deems appropriate.

SEC. 14. (a) As used in this resolution, the term "intelligence activities" includes (1) the collection, analysis, production, dissemination, or use of information which relates to any foreign country, or any government, political group, party, military force, movement, or other association in such foreign country, and which relates to the defense, foreign policy, national security, or related policies of the United States, and other activity which is in support of such activities; (2) activities taken to counter similar activities directed against the United States; (3) covert or clandestine activities affecting the relations of the United States with any foreign government, political group, party, military force, movement or other association; (4) the collection, analysis, production, dissemination, or use of information about activities of persons within the United States, its territories and possessions, or nationals of the United States abroad whose political and related activities pose, or may be considered by any department, agency, bureau, office, division, instrumentality, or employee of the United States to pose, a threat to the internal security of the United States, and covert or clandestine activities directed against such persons. Such term does not include tactical foreign military intelligence serving no national policymaking function.

(b) As used in this resolution, the term "department or agency" includes any orga-

nization, committee, council, establishment, or office within the Federal Government.

(c) For purposes of this resolution, reference to any department, agency, bureau, or subdivision shall include a reference to any successor department, agency, bureau, or subdivision to the extent that such successor engages in intelligence activities now conducted by the department, agency, bureau, or subdivision referred to in this resolution.

SEC. 15.(a) In addition to other committee staff selected by the select Committee, the select Committee shall hire or appoint one employee for each member of the select Committee to serve as such Member's designated representative on the select Committee. The select Committee shall only hire or appoint an employee chosen by the respective Member of the select Committee for whom the employee will serve as the designated representative on the select Committee.

(b) The select Committee shall be afforded a supplement to its budget, to be determined by the Committee on Rules and Administration, to allow for the hire of each employee who fills the position of designated representative to the select Committee. The designated representative shall have office space and appropriate office equipment in the select Committee spaces. Designated personal representatives shall have the same access to Committee staff, information, records, and databases as select Committee staff, as determined by the Chairman and Vice Chairman.

(c) The designated employee shall meet all the requirements of relevant statutes, Senate rules, and committee security clearance requirements for employment by the select Committee.

(d) Of the funds made available to the select Committee for personnel—

(1) not more than 60 percent shall be under the control of the Chairman; and

(2) not less than 40 percent shall be under the control of the Vice Chairman.

SEC. 16. Nothing in this resolution shall be construed as constituting acquiescence by the Senate in any practice, or in the conduct of any activity, not otherwise authorized by law.

SEC. 17. (a)(1) Except as provided in subsections (b) and (c), the Select Committee shall have jurisdiction to review, hold hearings, and report the nominations of civilian individuals for positions in the intelligence community for which appointments are made by the President, by and with the advice and consent of the Senate.

"(2) Except as provided in subsections (b) and (c), other committees with jurisdiction over the department or agency of the Executive Branch which contain a position referred to in paragraph (1) may hold hearings and interviews with individuals nominated for such position, but only the Select Committee shall report such nomination.

"(3) In this subsection, the term 'intelligence community' means an element of the intelligence community specified in or designated under section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

"(b)(1) With respect to the confirmation of the Assistant Attorney General for National Security, or any successor position, the nomination of any individual by the President to serve in such position shall be referred to the Committee on the Judiciary and, if and when reported, to the Select Committee for not to exceed 20 calendar days, except that in cases when the 20-day period expires while the Senate is in recess, the Select Committee shall have 5 additional calendar days after the Senate reconvenes to report the nomination.

"(2) If, upon the expiration of the period described in paragraph (1), the Select Committee has not reported the nomination,

such nomination shall be automatically discharged from the Select Committee and placed on the Executive Calendar.

“(c)(1) With respect to the confirmation of appointment to the position of Director of the National Security Agency, Inspector General of the National Security Agency, Director of the National Reconnaissance Office, or Inspector General of the National Reconnaissance Office, or any successor position to such a position, the nomination of any individual by the President to serve in such position, who at the time of the nomination is a member of the Armed Forces on active duty, shall be referred to the Committee on Armed Services and, if and when reported, to the Select Committee for not to exceed 30 calendar days, except that in cases when the 30-day period expires while the Senate is in recess, the Select Committee shall have 5 additional calendar days after the Senate reconvenes to report the nomination.

“(2) With respect to the confirmation of appointment to the position of Director of the National Security Agency, Inspector General of the National Security Agency, Director of the National Reconnaissance Office, or Inspector General of the National Reconnaissance Office, or any successor position to such a position, the nomination of any individual by the President to serve in such position, who at the time of the nomination is not a member of the Armed Forces on active duty, shall be referred to the Select Committee and, if and when reported, to the Committee on Armed Services for not to exceed 30 calendar days, except that in cases when the 30-day period expires while the Senate is in recess, the Committee on Armed Services shall have an additional 5 calendar days after the Senate reconvenes to report the nomination.

“(3) If, upon the expiration of the period of sequential referral described in paragraphs (1) and (2), the committee to which the nomination was sequentially referred has not reported the nomination, the nomination shall be automatically discharged from that committee and placed on the Executive Calendar.”

#### APPENDIX B

INTELLIGENCE PROVISIONS IN S. RES. 445, 108TH CONG., 2D SESS. (2004) WHICH WERE NOT INCORPORATED IN S. RES. 400, 94TH CONG., 2D SESS. (1976)

#### TITLE III—COMMITTEE STATUS

Sec. 301(b) Intelligence.—The Select Committee on Intelligence shall be treated as a committee listed under paragraph 2 of rule XXV of the Standing Rules of the Senate for purposes of the Standing Rules of the Senate.

#### TITLE IV—INTELLIGENCE-RELATED SUBCOMMITTEES

Sec. 401. Subcommittee Related to Intelligence Oversight.

(a) Establishment.—There is established in the Select Committee on Intelligence a Subcommittee on Oversight which shall be in addition to any other subcommittee established by the select Committee.

(b) Responsibility.—The Subcommittee on Oversight shall be responsible for ongoing oversight of intelligence activities.

Sec. 402. Subcommittee Related to Intelligence Appropriations.

(a) Establishment.—There is established in the Committee on Appropriations a Subcommittee on Intelligence. The Committee on Appropriations shall reorganize into 13 subcommittees as soon as possible after the convening of the 109th Congress.

(b) Jurisdiction.—The Subcommittee on Intelligence of the Committee on Appropriations shall have jurisdiction over funding for

intelligence matters, as determined by the Senate Committee on Appropriations.

#### APPENDIX C

#### RULE 26.5(B) OF THE STANDING RULES OF THE SENATE

#### (REFERRED TO IN COMMITTEE RULE 2.1)

Each meeting of a committee, or any subcommittee thereof, including meetings to conduct hearings, shall be open to the public, except that a meeting or series of meetings by a committee or a subcommittee thereof on the same subject for a period of no more than fourteen calendar days may be closed to the public on a motion made and seconded to go into closed session to discuss only whether the matters enumerated in clauses (1) through (6) would require the meeting to be closed, followed immediately by a record vote in open session by a majority of the members of the committee or subcommittee when it is determined that the matters to be discussed or the testimony to be taken at such meeting or meetings—

(1) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(2) will relate solely to matters of committee staff personnel or internal staff management or procedure;

(3) will tend to charge an individual with crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise to expose an individual to public contempt or obloquy, or will represent a clearly unwarranted invasion of the privacy of an individual;

(4) will disclose the identity of any informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interests of effective law enforcement;

(5) will disclose information relating to the trade secrets of financial or commercial information pertaining specifically to a given person if—

(A) an Act of Congress requires the information to be kept confidential by Government officers and employees; or

(B) the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific Government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person; or

(6) may divulge matters required to be kept confidential under other provisions of law or Government regulations.

#### SENATE COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS SUBCOMMITTEE ASSIGNMENTS

Mr. SANDERS. Mr. President, in accordance with rule XXVI.2 of the Standing Rules of the Senate, I submit for publication in the Congressional Record the subcommittee assignments for the Committee on Health, Education, Labor, and Pensions, as unanimously adopted by the committee on February 27, 2023.

I ask unanimous consent that the subcommittee assignments be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### SUBCOMMITTEES OF THE COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS CHILDREN AND FAMILIES

Mr. Casey, Pennsylvania, *Chair*; Mr. Tuberville, Alabama, *Ranking Member*; Mrs.

Murray, Washington; Mr. Murphy, Connecticut; Mr. Kaine, Virginia; Ms. Hassan, New Hampshire; Ms. Smith, Minnesota; Mr. Sanders, Vermont (Ex Officio); Mr. Paul, Kentucky; Ms. Murkowski, Alaska; Mr. Romney, Utah; Mr. Mullin, Oklahoma; Mr. Cassidy, Louisiana (Ex Officio).

#### EMPLOYMENT AND WORKPLACE SAFETY

Mr. Hickenlooper, Colorado, *Chair*; Mr. Braun, Indiana, *Ranking Member*; Mr. Casey, Pennsylvania; Ms. Baldwin, Wisconsin; Mr. Kaine, Virginia; Mr. Lujan, New Mexico; Mr. Markey, Massachusetts; Mr. Sanders, Vermont (Ex Officio); Mr. Marshall, Kansas; Mr. Romney, Utah; Mr. Tuberville, Alabama; Mr. Budd, North Carolina; Mr. Cassidy, Louisiana (Ex Officio).

#### PRIMARY HEALTH AND RETIREMENT SECURITY

Mr. Markey, Massachusetts, *Chair*; Mr. Marshall, Kansas, *Ranking Member*; Mrs. Murray, Washington; Ms. Baldwin, Wisconsin; Mr. Murphy, Connecticut; Ms. Hassan, New Hampshire; Ms. Smith, Minnesota; Mr. Lujan, New Mexico; Mr. Hickenlooper, Colorado; Mr. Sanders, Vermont (Ex Officio); Mr. Paul, Kentucky; Ms. Collins, Maine; Ms. Murkowski, Alaska; Mr. Braun, Indiana; Mr. Mullin, Oklahoma; Mr. Budd, North Carolina; Mr. Cassidy, Louisiana (Ex Officio).

#### BLACK HISTORY MONTH

Mr. MENENDEZ. Mr. President, I rise today as Black History Month comes to a close to pay tribute to Black Americans who have played pivotal roles in shaping American foreign policy and advancing national security abroad. As leaders and change-makers who have served the American people around the world, translating their own experiences fighting for justice and freedom in the United States into their passion for advancing democracy, human rights, and the rule of law overseas.

From the first Black diplomat Ebenezer Bassett, who served as Ambassador to Haiti from 1869 to 1877, to Ambassador Linda Thomas-Greenfield, who today serves as U.S. Representative to the United Nations, Black Americans have been at the forefront of advancing U.S. foreign policy.

Black Americans like Nobel Laureate Dr. Ralph Bunche, who mediated the 1949 Armistice Agreement and assisted in the creation of the United Nation's Universal Declaration for Human Rights; Ambassador Edward Perkins, who was instrumental in the 1992 creation of the Thomas R. Pickering Foreign Affairs Fellowship; and Peace Corps Director Aaron Williams, who advanced the 2009 reopening of programs in Colombia, Sierra Leone, and Indonesia, have broken down barriers and made our world a better place.

And yet, while we have made great strides in increasing representation throughout our diplomatic and development corps' ranks, our work is clearly far from over. According to the U.S. Office of Personnel Management's first-ever government-wide diversity, equity, inclusion, and accessibility—DEIA—report, released earlier this month, Black Americans comprise just 12 percent of the Senior Executive Service—SES—workforce. And these

findings are not limited to our domestic agencies. As I said at the Senate Foreign Relations Committee's first-ever DEIA hearing convened last year, between 2002 and 2021, the overall proportion of Black employees at the State Department decreased from 17 percent to 15 percent. At the time of our hearing, there were only four career Black Ambassadors serving abroad.

This failure to harness America's diverse talent pool is not only a grave error, but it also places us at a significant disadvantage when we seek to engage our allies and counter our adversaries on the world stage.

That is why, as the highest ranking Latino in the U.S. Congress and the first chairman of the Senate Foreign Relations Committee of Latino descent, one of my top priorities has been to promote and expand diversity in our domestic and international affairs agencies, including in our most senior levels.

That is why I introduced diversity, equity, inclusion, and accessibility—DEIA—provisions as part of last year's State Department authorization bill, which passed as part of the National Defense Authorization Act for FY2023. And, why it is so important to support paid internship programs and fellowships in Congress, the State Department, USAID, Peace Corps, and all of our international affairs agencies. Because without these opportunities, many students of color would be unable to afford to come work in Washington, DC.

Our diversity continues to be our Nation's greatest source of strength, and we must act on this moral and strategic imperative to cultivate a representative workforce, because, in every single world crisis that the United States faces, a more diverse and more representative U.S. diplomatic corps would be a valuable asset.

A few years ago, when I was traveling in China, the diplomat in charge of democracy and human rights programs at our Embassy had participated in the civil rights struggle. His personal history, his personal eyewitness accounts of trying to change the course of events in our country as an African American man, were a powerful example to those fighting for democracy and human rights in China. I can recount easily dozens of moments in different parts of the world where Americans from diverse backgrounds have made a powerful case for our country. These life experiences cannot be replicated, they cannot be purchased, and they cannot be bought.

So, as Black History Month comes to a close, let us not only remember the critical contributions of African-Americans in the formulation and execution of U.S. foreign policy, let us also recommit to doing our part to prepare the leaders who will strengthen and secure our national security in the future.

## ADDITIONAL STATEMENTS

### TRIBUTE TO ZACHARY HORTON

• Mr. OSSOFF. Mr. President, I rise today to commend Zachary Horton of Warner Robins, GA, for the inspiring success of his pecan business, the Blind Squirrel Nut Company.

Mr. Horton's story demonstrates that optimism and resilience can lead to amazing achievements. The Blind Squirrel Nut Company was born out of Zachary's entrepreneurial spirit after he was diagnosed with a medical condition that caused him to lose his vision. Mr. Horton's self-confidence and determination empowered him to launch a pecan business that has served customers across middle Georgia for over a year. The Blind Squirrel Nut Company also offers a variety of products to customers nationwide, giving Americans across the country a taste of Georgia's unique pecans.

As Georgia's U.S. Senator, I recognize and commend Mr. Zachary Horton as a champion who against all odds has been able to fulfill his greatest dream thanks to his perseverance, passion, and hope.●

### TRIBUTE TO PASTOR ANGEL MAESTRE

• Mr. OSSOFF. Mr. President, I rise today to commend Pastor Angel Maestre for his impact on Augusta's Hispanic community.

Pastor Angel Maestre is a beacon of Georgia, serving as the head pastor at Oasis Augusta Iglesia for the last 18 years. Over the course of his tenure, Pastor Maestre has worked to uplift the community through his countless years of mentorship, selfless acts, and service. Pastor Maestre has also founded the first Hispanic radio station in Augusta to better connect the community and inform residents of news impacting their neighborhood. During the COVID-19 pandemic, Pastor Maestre helped inform the Hispanic community about vaccinations through his show, ensuring the community was well informed and staying healthy.

As Georgia's U.S. Senator, I commend and recognize Pastor Angel Maestre for his dedication to Georgia and the Augusta community.●

### TRIBUTE TO CAROLYN MCKINLEY

• Mr. OSSOFF. Mr. President, I rise today to commend Ms. Carolyn McKinley for her leadership as executive director of the Meriwether County Chamber of Commerce.

As chamber executive director, Ms. McKinley was instrumental in working with the Flint River Trail, Meriwether County, and representatives from 18 riverfront counties to create more outdoor recreation opportunities, which will lead to economic development opportunities in southwest Georgia. During last year's Georgia Governor's

tourism conference in Athens, McKinley accepted the Georgia River Network's 2022 Water Trail Hero Award on behalf of the Flint River Water Trail group. This award honors the partnership between the Flint River Water Trail and Meriwether County leaders to boost tourism and economic development along Georgia's more than 2,500 river miles.

As Georgia's U.S. Senator, I recognize and commend Carolyn McKinley's leadership as executive director of the Meriwether County Chamber of Commerce and for her commitment to economic development in southwest Georgia.●

## MESSAGE FROM THE HOUSE

At 11:33 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 538. An act to require the disclosure of a camera or recording capability in certain internet-connected devices.

H.R. 1059. An act to authorize notaries public to perform, and to establish minimum standards for, electronic notarizations and remote notarizations that occur in or affect interstate commerce, to require any Federal court to recognize notarizations performed by a notarial officer of any State, to require any State to recognize notarizations performed by a notarial officer of any other State when the notarization was performed under or relates to a public Act, record, or judicial proceeding of the notarial officer's State or when the notarization occurs in or affects interstate commerce, and for other purposes.

H.R. 1108. An act to amend the Communications Act of 1934 to extend the authority of the Federal Communications Commission to grant a license or construction permit through a system of competitive bidding.

## MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 538. An act to require the disclosure of a camera or recording capability in certain internet-connected devices; to the Committee on Commerce, Science, and Transportation.

H.R. 1059. An act to authorize notaries public to perform, and to establish minimum standards for, electronic notarizations and remote notarizations that occur in or affect interstate commerce, to require any Federal court to recognize notarizations performed by a notarial officer of any State, to require any State to recognize notarizations performed by a notarial officer of any other State when the notarization was performed under or relates to a public Act, record, or judicial proceeding of the notarial officer's State or when the notarization occurs in or affects interstate commerce, and for other purposes; to the Committee on the Judiciary.

## MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 532. A bill to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-513. A communication from the Chief of the Division of Regulations, Jurisdiction, and Special Park Uses, National Park Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Mount Rainier National Park; Fishing" (RIN1024-AE66) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Energy and Natural Resources.

EC-514. A communication from the Chief of the Division of Regulations, Jurisdiction, and Special Park Uses, National Park Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Civil Penalties Inflation Adjustments" (RIN1024-AE78) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Energy and Natural Resources.

EC-515. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Energy Conservation Program: Test Procedure for Dishwasher" (RIN1904-AD96) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Energy and Natural Resources.

EC-516. A communication from the Program Analyst, Forest Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Special Areas; Roadless Area Conservation; National Forest System Lands in Alaska" (RIN0596-AD51) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Energy and Natural Resources.

EC-517. A communication from the Assistant Secretary for Land and Minerals Management, Bureau of Safety and Environmental Enforcement, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Reorganization of Title 30-Renewable Energy and Alternate Uses of Existing Facilities on the Outer Continental Shelf" (RIN1082-AA03) (Docket ID BOEM-2022-0042) received during adjournment of the Senate in the Office of the President of the Senate on February 7, 2023; to the Committee on Energy and Natural Resources.

EC-518. A communication from the Assistant Secretary for Land and Minerals Management, Bureau of Ocean Energy Management, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Reorganization of Title 30-Renewable Energy and Alternate Uses of Existing Facilities on the Outer Continental Shelf" (RIN1082-AA03) (Docket ID BOEM-2022-0042) received during adjournment of the Senate in the Office of the President of the Senate on February 7, 2023; to the Committee on Energy and Natural Resources.

EC-519. A communication from the Policy Advisor of Law Enforcement, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Civil Penalties; 2023 Inflation Adjustments for Civil Monetary Penalties" (RIN1018-BG74) received in the Office of the President of the Senate on February 7,

2023; to the Committee on Environment and Public Works.

EC-520. A communication from the Administrative Assistant of Administrative Support Services, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Removing Five Species That Occur on San Clemente Island From the Federal Lists of Endangered and Threatened Wildlife and Plants" (RIN1018-BE73) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Environment and Public Works.

EC-521. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Wisconsin; 2015 Ozone Standard" (FRL No. 9950-02-R5) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Environment and Public Works.

EC-522. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Clean Air Act Operating Permit Program; California; San Diego County Air Pollution Control District; Correction" (FRL No. 10031-03-R9) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Environment and Public Works.

EC-523. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; New Mexico; Excess Emissions" (FRL No. 10186-02-R6) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Environment and Public Works.

EC-524. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; New Hampshire; Approval of Single Source Order" (FRL No. 10415-02-R1) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Environment and Public Works.

EC-525. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Finding of Failure to Attain and Reclassification of the Detroit Area as Moderate for the 2015 Ozone National Ambient Air Quality Standards" (FRL No. 10611-01-R5) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Environment and Public Works.

EC-526. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Quality: Revision to the Regulatory Definition of Volatile Organic Compounds - Exclusion of (2E)-1,1,1,4,4,4-hexafluorobut-2-ene (HFO-1336mzz(E))" (FRL No. 8371-01-OAR) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Environment and Public Works.

EC-527. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Texas; Control of Air Pollution from Visible Emissions and Particulate Matter" (FRL No. 9401-02-R6) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Environment and Public Works.

EC-528. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; New York; Gasoline Dispensing, Stage I, Stage II and Transport Vehicles" (FRL No. 9610-02-R2) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Environment and Public Works.

EC-529. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Alabama; Rescission of the Finding of Failure to Submit a State Implementation Plan for Interstate Transport for the 2015 Ozone National Ambient Air Quality Standards (NAAQS)" (FRL No. 9895-02-R4) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Environment and Public Works.

EC-530. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Quality Implementation Plan; California; Tuolumne County Air Pollution Control District; Stationary Source Permits" (FRL No. 9939-02-R9) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Environment and Public Works.

EC-531. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Arizona; Maricopa County; Reasonably Available Control Technology - Combustion Sources" (FRL No. 10025-03-R9) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Environment and Public Works.

EC-532. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Disapprovals; Interstate Transport of Air Pollution for the 2015 8-hour Ozone National Ambient Air Quality Standards" (FRL No. 10209-01-OAR) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Environment and Public Works.

EC-533. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Missouri; Marginal Nonattainment Plan for the St. Louis Area for the 2015 8-Hour Ozone Standard" (FRL No. 10388-02-R7) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Environment and Public Works.

EC-534. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Georgia; Atlanta Area Limited Maintenance Plan for the 1997 8-Hour Ozone NAAQS" (FRL No. 10401-02-R4) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Environment and Public Works.

EC-535. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Tennessee; Revisions to Control of Sulfur Dioxide Emissions" (FRL No. 10437-02-R4) received in the Office of the President of the

Senate on February 7, 2023; to the Committee on Environment and Public Works.

EC-536. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval; Tennessee; Packaging Corporation of America Nitrogen Oxides SIP Call Alternative Monitoring” (FRL No. 10503-02-R4) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Environment and Public Works.

EC-537. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval; Georgia; Murray County Area Limited Maintenance Plan for the 1997 8-Hour Ozone NAAQS” (FRL No. 10511-02-R4) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Environment and Public Works.

EC-538. A communication from the Senior Advisor, Office of the Secretary, Department of Health and Human Services, transmitting, pursuant to law, a report relative to a vacancy in the position of Commissioner, Administration for Children, Youth & Families, Department of Health and Human Services, received in the Office of the President of the Senate on February 7, 2023; to the Committee on Finance.

EC-539. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Medicare and Medicaid Programs; Policy and Technical Changes to the Medicare Advantage, Medicare Prescription Drug Benefit, Program of All-Inclusive Care for the Elderly (PACE), Medicaid Fee-For-Service, and Medicaid Managed Care Programs for Years 2020 and 2021” (RIN0938-AT59) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Finance.

EC-540. A communication from the Acting Assistant Secretary for Legislative Affairs, Department of Homeland Security, transmitting a legislative proposal entitled “To provide for certain costs associated with an electric passenger carrier for transportation, and for other purposes”; to the Committee on Finance.

EC-541. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report entitled “Determination Under Section 506(a) (1) of the Foreign Assistance Act of 1961 (FAA) to Provide Military Assistance to Ukraine”; to the Committee on Foreign Relations.

EC-542. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a notification of intent to provide assistance to Ukraine, including for self-defense and border security operations; to the Committee on Foreign Relations.

EC-543. A communication from the Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report and the Uniform Resource Locator (URL) for the report on other U.S. contributions to the United Nations and its affiliated agencies during fiscal year 2021; to the Committee on Foreign Relations.

EC-544. A communication from the Director, Office of the White House Liaison, Department of Education, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary, Department of Education, received in the Office of the President of the Senate on February 7, 2023; to the Committee on Health, Education, Labor, and Pensions.

EC-545. A communication from the Director, White House Liaison, Department of Education, transmitting, pursuant to law, a report relative to a vacancy in the position of Commissioner of the Rehabilitation Services Administration, Department of Education, received in the Office of the President of the Senate on February 7, 2023; to the Committee on Health, Education, Labor, and Pensions.

EC-546. A communication from the Deputy Assistant General Counsel for Regulatory Affairs, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled “Special Financial Assistance by PBGC—Withdrawal Liability Condition Exception” (RIN1212-AB53) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Health, Education, Labor, and Pensions.

EC-547. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Listing of Color Additive Exempt From Certification; Calcium Carbonate; Confirmation of Effective Date” (Docket No. FDA-2017-C-6238) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Health, Education, Labor, and Pensions.

EC-548. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled “The Fourteenth Review of the Backlog of Post-marketing Requirements and Commitments”; to the Committee on Health, Education, Labor, and Pensions.

EC-549. A communication from the General Counsel, Office of Management and Budget, transmitting, pursuant to law, a report relative to a vacancy in the position of Administrator of Federal Procurement Policy, Office of Management and Budget, received in the Office of the President of the Senate on February 7, 2023; to the Committee on Homeland Security and Governmental Affairs.

EC-550. A communication from the Agency Representative, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Final Rule Eliminating Continuing Legal Education Certification and Recognition for Patent Practitioners” (RIN0651-AD62) received in the Office of the President of the Senate on February 7, 2023; to the Committee on the Judiciary.

EC-551. A communication from the Deputy Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled “Uniformed Services Employment and Re-employment Rights Act of 1994 (USERRA) Quarterly Report to Congress; First Quarter of fiscal year 2023”; to the Committee on Veterans’ Affairs.

EC-552. A communication from the Deputy Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled “Uniformed Services Employment and Re-employment Rights Act of 1994 (USERRA) Quarterly Report to Congress; Fourth Quarter of fiscal year 2022”; to the Committee on Veterans’ Affairs.

EC-553. A communication from the Regulation Development Coordinator, Office of Regulation Policy and Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled “Statutory Increase in Operations and Maintenance Grant Funding” (RIN2900-AR71) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Veterans’ Affairs.

EC-554. A communication from the Regulation Development Coordinator, Office of Reg-

ulation Policy and Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled “Federal Civil Penalties Inflation Adjustment Act Amendments” (RIN2900-AR79) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Veterans’ Affairs.

EC-555. A communication from the Regulation Development Coordinator, Office of Regulation Policy and Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled “VA Acquisition Regulation: Acquisition of Information Technology; and Other Contracts for Goods and Services Involving Information, VA Sensitive Information, and Information Security; and Liquidated Damages Requirements for Data Breach” (RIN2900-AQ41) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Veterans’ Affairs.

EC-556. A communication from the Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled “Promoting Telehealth in Rural America” ((RIN3060-AF85) (FCC 23-6) (WC Docket No. 17-310)) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-557. A communication from the Chairman of the Office of Proceedings, Surface Transportation Board, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Civil Monetary Penalties—2023 Adjustment” (Docket No. EP 716) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-558. A communication from the Program Analyst, Consumer and Governmental Affairs Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled “Order on Reconsideration and Declaratory Ruling” ((FCC 22-100) (CG Docket No. 02-278)) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-559. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “International Fisheries; Pacific Tuna Fisheries; Revised 2018 Commercial Fishing Restrictions for Pacific Bluefin Tuna in the Eastern Pacific Ocean; 2018 Catch Limit” (RIN0648-BH30) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-560. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Windowpane Flounder Emergency Rule Extension” (RIN0648-BH11) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-561. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Pacific Island Fisheries; Annual Catch Limit and Accountability Measures; Main Hawaiian Islands Deep 7 Bottomfish” (RIN0648-BI54) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-562. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Final Rule for the Commercial Scup Quota Period Modification Framework Adjustment 10” (RIN0648-BH26) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-563. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Final Rule to Implement Abbreviated Framework Amendment 1 to the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region” (RIN0648-BH46) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-564. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Final Rule to Implement Amendment 13 to the Fishery Management Plan for Spiny Lobster in the Gulf of Mexico and the South Atlantic” (RIN0648-BI11) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-565. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Final Rule to Implement 2019 Atlantic Bluefish Specifications” (RIN0648-XG562) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-566. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Pacific Island Fisheries: Reclassifying Management Unit Species to Ecosystem Component Species” (RIN0648-BH63) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-567. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Regulatory Amendment to authorize an Oregon recreational fishery for midwater groundfish species” (RIN0648-BG40) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-568. A communication from the Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Swordfish General Commercial Permit Retention Limit Inseason Adjustment for Northwest Atlantic, Gulf of Mexico, and U.S. Caribbean regions” (RIN0648-XT030) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-569. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Atlantic Highly Migratory Species; 2018 Atlantic Shark Commercial Fishing Season”

(RIN0648-XF486) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-570. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Framework Adjustment 58 to the Northwest Multispecies Fishery Management Plan” (RIN0648-BI64) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-571. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Implement Nontrawl Lead Level 2 Observer Requirements” (RIN0648-BG96) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-572. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Fishing Year 2018 Recreational Management Measures” (RIN0648-BH55) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-573. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fishing Limits in Purse Seine and Longline Fisheries, Restrictions on the Use of Fish Aggregating Devices in Purse Seine Fisheries, and Transshipment Prohibitions; effectiveness of collection-of-information requirements” (RIN0648-BH77) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-574. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Mid-Atlantic Blueline Tilefish Fishery; 2019 and Projected 2020-2021 Specifications” (RIN0648-BI57) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-575. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Highly Migratory Fisheries; Amendment 4 to Fishery Management Plan for West Coast Highly Migratory Species Fisheries; Revisions to the Biennial Management Cycle” (RIN0648-BH36) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-576. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Mid-Atlantic Fishery Management Council’s Omnibus Acceptable Biological Catch Framework Adjustment” (RIN0648-BE65) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-577. A communication from the Deputy Assistant Administrator for Regulatory Pro-

grams, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Amendment 119 to the BSAI FMP and 107 to the GOA FMP” (RIN0648-BJ03) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-578. A communication from the Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries; Temporary rule; Inseason General category Quota Transfer (January 2020 Subquota Period)” (RIN0648-XT031) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-579. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Pacific Halibut Fisheries; Revisions to Catch Sharing Plan and Domestic Management Measures” (RIN0648-BH91) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-580. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries off West Coast States; West Coast Salmon Fisheries; 2019 Management Measures” (RIN0648-BI05) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-581. A communication from the Acting Branch Chief, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone Off Alaska; Shortraker Rockfish in the Central Regulatory Area of the Gulf of Alaska” (RIN0648-XC499) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-582. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Several Groundfish Species in the Bering Sea and Aleutian Islands Management Area” (RIN0648-XC510) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-583. A communication from the Acting Branch Chief, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “In-season Closure of the Lane Snapper Recreational and Commercial Fishing Season in Federal Waters of the Gulf of Mexico for the 2022 Fishing Year” (RIN0648-XC537) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-584. A communication from the Acting Branch Chief, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Northeastern United States; Atlantic Herring Fishery; Inseason Adjustment to the 2022 Atlantic Herring Specifications” (RIN0648-XC475) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-585. A communication from the Acting Branch Chief, National Marine Fisheries

Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Northeastern United States; Mid-Atlantic Blueline Tilefish Fishery; Final 2022 and 2023 and Projected 2024 Specifications” (RIN0648-XC411) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-586. A communication from the Acting Branch Chief, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries; General category December Quota Transfer” (RIN0648-XC483) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-587. A communication from the Acting Branch Chief, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries; Closure of the General Category October through November Fishery for 2022” (RIN0648-XC431) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-588. A communication from the Acting Branch Chief, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Northeastern United States; Atlantic Herring Fishery; Inseason Adjustment to the 2022 Atlantic Herring Specifications” (RIN0648-XC475) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-589. A communication from the Acting Branch Chief, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fraser River Sockeye Salmon Fisheries; Inseason Orders” (RIN0648-XC446) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-590. A communication from the Acting Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Correction to the Final Rule to Implement the 2019-20 Pacific Coast Groundfish Harvest Specifications and Management Measures” (RIN0648-BH93) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-591. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Increase the Duration of Aircraft Registration; Confirmation of Effective Date and Correction” (RIN2120-AL45) (Docket No. FAA-2022-1514) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-592. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment and Establishment of Area Navigation (RNAV) Routes; Eastern United States” (RIN2120-AA66) (Docket No. FAA-2022-0932) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-593. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment and Revocation of Air Traffic Service (ATS) Routes; Eastern United States” (RIN2120-AA66) (Docket No. FAA-2022-1028) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-594. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of VOR Federal Airway V-156, and V-285 in the Vicinity of Kalamazoo, MI” (RIN2120-AA66) (Docket No. FAA-2022-1107) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-595. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of V-6, V-10, V-30, V-100, and V-233 in the Vicinity of Litchfield, MI” (RIN2120-AA66) (Docket No. FAA-2022-1113) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-596. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of VOR Federal Airways V-214, V-285, and V-305, and Revocation of V-96 in the Vicinity of Kokomo, IN” (RIN2120-AA66) (Docket No. FAA-2021-0822) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-597. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of Class E Airspace; Mount Sterling and Pittsfield, IL” (RIN2120-AA66) (Docket No. FAA-2022-1318) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-598. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of Class E Airspace; Multiple North Dakota Towns” (RIN2120-AA66) (Docket No. FAA-2022-1316) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-599. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of Class D and Class E Airspace; Manchester and Nashua, NH” (RIN2120-AA66) (Docket No. FAA-2022-1207) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-600. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of Class D and Class E Airspace; Athens/Ben Epps Airport, Athens, GA” (RIN2120-AA66) (Docket No. FAA-2022-1333) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-601. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Establishment of Class E Airspace; Ness City, KS” (RIN2120-AA66) (Docket No. FAA-2022-0249) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-602. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Revocation of Class E Airspace; Marfa, TX” (RIN2120-AA66) (Docket No. FAA-2022-1351) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-603. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Establishment of Class D Airspace and Amendment of Class E Airspace; Selma, AL” (RIN2120-AA66) (Docket No. FAA-2022-0922) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-604. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of Class D Airspace and Class E Airspace; Manassas, VA” (RIN2120-AA66) (Docket No. FAA-2022-1827) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-605. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of Class C Airspace; Buffalo, NY” (RIN2120-AA66) (Docket No. FAA-2022-1640) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-606. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of Class E Airspace; Plymouth and Winamac, IN” (RIN2120-AA66) (Docket No. FAA-2022-1225) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-607. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments; Amendment No. 4035” (RIN2120-AA65) (Docket No. 31458) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-608. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Standard

Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments; Amendment No. 4037'' ((RIN2120-AA65) (Docket No. 31460)) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-609. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments; Amendment No. 4043'' ((RIN2120-AA65) (Docket No. 31467)) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-610. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments; Amendment No. 4041'' ((RIN2120-AA65) (Docket No. 31465)) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-611. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments; Amendment No. 4044'' ((RIN2120-AA65) (Docket No. 31468)) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-612. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Rolls-Royce Deutschland Ltd & Co KG (Type Certificate Previously Held by Rolls-Royce plc) Turbofan Engines; Amendment 39-22280'' ((RIN2120-AA64) (Docket No. FAA-2022-1234)) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-613. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Embraer S.A. (Type Certificate Previously Held by Yabora Industria Aeronautica S.A.; Embraer S.A) Airplanes; Amendment 39-22263'' ((RIN2120-AA64) (Docket No. FAA-2022-0979)) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-614. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; MHI R/J Aviation ULC (Type Certificate Previously Held by Bombardier, Inc.) Airplanes; Amendment 39-22250'' ((RIN2120-AA64) (Docket No. FAA-2022-1154)) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-615. A communication from the Management and Program Analyst, Federal

Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Canada Limited Partnership (Type Certificate Previously Held by C Series Aircraft Limited Partnership (CSALP); Bombardier, Inc.) Airplanes; Amendment 39-22282'' ((RIN2120-AA64) (Docket No. FAA-2022-1583)) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-616. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; General Electric Company Turbofan Engines; Amendment 39-22236'' ((RIN2120-AA64) (Docket No. FAA-2022-0989)) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-617. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; AIRBUS; Amendment 39-22273'' ((RIN2120-AA64) (Docket No. FAA-2022-1235)) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-618. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus SAS Airplanes; Amendment 39-22242'' ((RIN2120-AA64) (Docket No. FAA-2022-0890)) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-619. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc., Airplanes; Amendment 39-22230'' ((RIN2120-AA64) (Docket No. FAA-2022-0677)) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-620. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Safran Helicopter Engines, S.A. (Type Certificate Previously Held by Turbomeca, S.A.) Turboshaft Engines; Amendment 39-22306'' ((RIN2120-AA64) (Docket No. FAA-2023-0021)) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-621. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Safran Helicopter Engines, S.A. (Type Certificate Previously Held by Turbomeca, S.A.) Turboshaft Engines; Amendment 39-22305'' ((RIN2120-AA64) (Docket No. FAA-2023-0020)) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-622. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthi-

ness Directives; GE Aviation Czech s.r.o. (Type Certificate Previously Held by WALTER Engines a.s., Walter a.s., and MOTORLET a.s.) Turboprop Engines; Amendment 39-22301'' ((RIN2120-AA64) (Docket No. FAA-2022-1302)) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-623. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Helicopters; Amendment 39-22294'' ((RIN2120-AA64) (Docket No. FAA-2023-1664)) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-624. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; MHI R/J Aviation ULC (Type Certificate Previously Held by Bombardier, Inc.) Airplanes; Amendment 39-22283'' ((RIN2120-AA64) (Docket No. FAA-2022-0141)) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-625. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Helicopters; Amendment 39-22252'' ((RIN2120-AA64) (Docket No. FAA-2022-0015)) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-626. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Mar SAS Parachutes; Amendment 39-22244'' ((RIN2120-AA64) (Docket No. FAA-2022-1476)) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-627. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Leonardo S.p.a. Helicopters; Amendment 39-22296'' ((RIN2120-AA64) (Docket No. FAA-2022-0818)) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-628. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus SAS Airplanes; Amendment 39-22086'' ((RIN2120-AA64) (Docket No. FAA-2020-1105)) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-629. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Embraer S.A. (Type Certificate Previously Held by Yabora Industria Aeronautica S.A.; Embraer S.A) Airplanes; Amendment 39-22291'' ((RIN2120-AA64) (Docket No. FAA-2022-1246)) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-630. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes; Amendment 39-22257" ((RIN2120-AA64) (Docket No. FAA-2022-1051)) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-631. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Stemme AG Gliders; Amendment 39-22310" ((RIN2120-AA64) (Docket No. FAA-2022-1421)) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-632. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Gulfstream Aerospace Corporation Airplanes; Amendment 39-22309" ((RIN2120-AA64) (Docket No. FAA-2022-1305)) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Commerce, Science, and Transportation.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. SULLIVAN (for himself and Ms. HIRONO):

S. 539. A bill to amend the Federal Credit Union Act to exclude extensions of credit made to veterans from the definition of a member business loan; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BENNET (for himself, Mr. HICKENLOOPER, and Mr. WYDEN):

S. 540. A bill to establish an Outdoor Restoration Fund for restoration and resilience projects, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. KENNEDY (for himself, Ms. SINEMA, Mrs. HYDE-SMITH, and Mr. CRAMER):

S. 541. A bill to provide for the independent and objective conduct and supervision of audits and investigations relating to the programs and operations funded with amounts appropriated or otherwise made available to Ukraine for military, economic, and humanitarian aid; to the Committee on Homeland Security and Governmental Affairs.

By Mr. WHITEHOUSE (for himself and Mr. CASSIDY):

S. 542. A bill to amend the Internal Revenue Code of 1986 to increase the applicable dollar amount for qualified carbon oxide which is captured and utilized for purposes of the carbon oxide sequestration credit; to the Committee on Finance.

By Mr. LUJÁN (for himself and Mr. HEINRICH):

S. 543. A bill to increase research, education, and treatment for cerebral cavernous malformations; to the Committee on Health, Education, Labor, and Pensions.

By Mr. PADILLA (for himself and Mr. CRAMER):

S. 544. A bill to amend the Federal Credit Union Act to provide a sunset for certain ways in which credit unions may be Agent

members of the National Credit Union Administration Central Liquidity Facility; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. BALDWIN (for herself, Ms. DUCKWORTH, Mr. MARKEY, Mr. CASEY, Ms. HASSAN, and Mr. BLUMENTHAL):

S. 545. A bill to protect the rights of passengers with disabilities in air transportation, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. FISCHER (for herself, Mr. COONS, Mr. CORNYN, and Ms. KLOBUCHAR):

S. 546. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to authorize law enforcement agencies to use COPS grants for recruitment activities, and for other purposes; to the Committee on the Judiciary.

By Mr. WHITEHOUSE (for himself, Mr. CASSIDY, Mr. REED, Mr. GRAHAM, Mr. BENNET, Mr. CRAMER, Mr. BLUMENTHAL, Mr. SULLIVAN, Mr. CASEY, Ms. DUCKWORTH, Ms. HASSAN, Mr. MARKEY, Mr. MURPHY, Ms. WARREN, and Mr. WARNER):

S. 547. A bill to award a Congressional Gold Medal, collectively, to the First Rhode Island Regiment, in recognition of their dedicated service during the Revolutionary War; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BARRASSO (for himself, Mrs. BLACKBURN, Mr. BRAUN, Mrs. BRITT, Mr. BOOZMAN, Mrs. CAPITO, Mr. CASSIDY, Mr. CORNYN, Mr. COTTON, Mr. CRAMER, Mr. CRUZ, Mr. DAINES, Mr. GRASSLEY, Mr. HAGERTY, Mr. HOEVEN, Mrs. HYDE-SMITH, Mr. KENNEDY, Mr. LANKFORD, Ms. LUMMIS, Mr. MARSHALL, Mr. ROUNDS, Mr. SCOTT of Florida, Mr. SCOTT of South Carolina, Mr. SULLIVAN, Mr. TILLIS, Mr. TUBERVILLE, Mr. GRAHAM, Mr. HAWLEY, and Mrs. FISCHER):

S. 548. A bill to enhance the security of the United States and its allies, and for other purposes; to the Committee on Foreign Relations.

By Ms. BALDWIN (for herself, Mr. RISCH, Ms. COLLINS, Mr. WELCH, Mr. KING, Ms. STABENOW, Mr. CRAPO, Mr. MARSHALL, Ms. SMITH, Mr. LUJÁN, and Mr. ROUNDS):

S. 549. A bill to require enforcement against misbranded milk alternatives; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BRAUN:

S. 550. A bill to amend the Workforce Innovation and Opportunity Act to prioritize programs that provide evidence of performance; to the Committee on Health, Education, Labor, and Pensions.

By Mr. RUBIO:

S. 551. A bill to reduce the excessive appreciation of United States residential real estate due to foreign purchases; to the Committee on Finance.

By Mr. RUBIO (for himself, Mr. WARNOCK, Mr. CASSIDY, and Mr. DURBIN):

S. 552. A bill to extend duty-free treatment provided with respect to imports from Haiti under the Caribbean Basin Economic Recovery Act; to the Committee on Finance.

By Mr. RUBIO (for himself and Mr. SCOTT of Florida):

S. 553. A bill to require the Secretary of Housing and Urban Development to reform policies and issue guidance related to health and safety accountability, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. RUBIO (for himself and Mr. SCOTT of Florida):

S. 554. A bill to reform the inspection process of housing assisted by the Department of Housing and Urban Development, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. THUNE (for himself and Mr. LUJÁN):

S. 555. A bill to improve disaster assistance programs of the Department of Agriculture, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. COTTON (for himself, Mr. DAINES, Mrs. BLACKBURN, Mr. LEE, and Mr. LANKFORD):

S. 556. A bill to prohibit the United States Armed Forces from promoting anti-American and racist theories; to the Committee on Armed Services.

By Mr. LEE (for himself, Mr. BOOKER, Mr. PAUL, Ms. WARREN, and Mrs. GILLIBRAND):

S. 557. A bill to prohibit certain practices relating to certain commodity promotion programs, to require greater transparency by those programs, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. COTTON (for himself, Mr. LANKFORD, and Mrs. BLACKBURN):

S. 558. A bill to codify Executive Order 13950 (relating to combatting race and sex stereotyping), and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. PETERS (for himself, Ms. COLLINS, Ms. MURKOWSKI, and Mr. CARPER):

S. 559. A bill to amend the Federal Fire Prevention and Control Act of 1974 to authorize appropriations for the United States Fire Administration and firefighter assistance grant programs; to the Committee on Homeland Security and Governmental Affairs.

By Mr. WARNER (for himself, Ms. HIRONO, Ms. KLOBUCHAR, Mr. KAINE, and Mr. BLUMENTHAL):

S. 560. A bill to amend section 230 of the Communications Act of 1934 to reaffirm civil rights, victims' rights, and consumer protections; to the Committee on Commerce, Science, and Transportation.

By Mr. MARKEY (for himself, Mr. BLUMENTHAL, Mr. SANDERS, Mr. SCHATZ, Ms. WARREN, Mr. WELCH, Mr. WHITEHOUSE, and Mr. WYDEN):

S. 561. A bill to provide for cash refunds for canceled airline flights and tickets; to the Committee on Commerce, Science, and Transportation.

By Ms. DUCKWORTH (for herself, Mr. DURBIN, Mr. BOOKER, Mrs. HYDE-SMITH, and Mr. WICKER):

S. 562. A bill to establish the Emmett Till and Mamie Till-Mobley and Roberts Temple National Historic Site in the State of Illinois, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. TESTER (for himself, Mr. MORAN, Ms. SMITH, Mr. WYDEN, Mr. KELLY, Mr. LUJÁN, Mr. TUBERVILLE, Mrs. MURRAY, Mr. PADILLA, Ms. CORTEZ MASTO, Mr. HEINRICH, Ms. WARREN, and Mr. SCHATZ):

S. 563. A bill to amend the Act of June 18, 1934, to reaffirm the authority of the Secretary of the Interior to take land into trust for Indian Tribes, and for other purposes; to the Committee on Indian Affairs.

By Mr. HAWLEY:

S. 564. A bill to permit parents to bring a civil action against social media companies that fail to provide parental access and data control rights with respect to the social media accounts of minor children, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. RISCH (for himself, Mrs. HYDE-SMITH, Mr. CRAPO, Mr. CRUZ, Mr. RUBIO, and Mr. HAWLEY):

S. 565. A bill to require the Secretary of Health and Human Services to award grants to pregnancy-help organizations; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LANKFORD (for himself, Mr. COONS, Mr. RUBIO, Ms. CORTEZ MASTO, Ms. HASSAN, Mr. WARNOCK, Ms. COLLINS, Ms. KLOBUCHAR, Mr. SCOTT of South Carolina, Mr. PETERS, and Mrs. SHAHEEN):

S. 566. A bill to amend the Internal Revenue Code of 1986 to modify and extend the deduction for charitable contributions for individuals not itemizing deductions; to the Committee on Finance.

By Mr. SANDERS (for himself, Mr. SCHUMER, Mrs. MURRAY, Ms. BALDWIN, Mr. BENNET, Mr. BLUMENTHAL, Mr. BOOKER, Mr. BROWN, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. COONS, Ms. CORTEZ MASTO, Ms. DUCKWORTH, Mr. DURBIN, Mrs. FEINSTEIN, Mr. FETTERMAN, Mrs. GILLIBRAND, Ms. HASSAN, Mr. HEINRICH, Mr. HICKENLOOPER, Ms. HIRONO, Mr. KAINE, Mr. KING, Ms. KLOBUCHAR, Mr. LUJÁN, Mr. MANCHIN, Mr. MARKEY, Mr. MENENDEZ, Mr. MERKLEY, Mr. MURPHY, Mr. OSSOFF, Mr. PADILLA, Mr. PETERS, Mr. REED, Ms. ROSEN, Mr. SCHATZ, Mrs. SHAHEEN, Ms. SMITH, Ms. STABENOW, Mr. TESTER, Mr. VAN HOLLEN, Mr. WARNOCK, Ms. WARREN, Mr. WELCH, Mr. WHITEHOUSE, and Mr. WYDEN):

S. 567. A bill to amend the National Labor Relations Act, the Labor Management Relations Act, 1947, and the Labor-Management Reporting and Disclosure Act of 1959, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. SHAHEEN:

S. 568. A bill to require the Secretary of the Treasury to redesign \$20 Federal reserve notes so as to include a likeness of Harriet Tubman, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. GILLIBRAND (for herself, Mr. SCHUMER, Mr. BOOKER, Mr. MENENDEZ, and Mr. BLUMENTHAL):

S. 569. A bill to amend title XXXIII of the Public Health Service Act with respect to flexibility and funding for the World Trade Center Health Program; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CARDIN (for himself and Ms. STABENOW):

S. 570. A bill to amend title XIX of the Social Security Act to improve coverage of dental and oral health services for adults under Medicaid, and for other purposes; to the Committee on Finance.

By Mr. MARKEY:

S. 571. A bill to require reports on the dangers posed by nuclear reactors in areas that might experience armed conflict; to the Committee on Armed Services.

By Mr. TILLIS (for himself, Mr. MORAN, Mr. BOOZMAN, Mr. CASSIDY, Mr. ROUNDS, Mr. SULLIVAN, Mrs. BLACKBURN, Mr. CRAMER, and Mr. TUBERVILLE):

S. 572. A bill to require the Secretary of Veterans Affairs to provide answers to questions submitted for the record to the Secretary by members of the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives within 45 business days, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BOOKER (for himself, Ms. KLOBUCHAR, Mr. VAN HOLLEN, and Mr. WELCH):

S. 573. A bill to remove all statues of individuals who voluntarily served the Confederate States of America from display in the United States Capitol; to the Committee on Rules and Administration.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SCHATZ (for himself and Ms. HIRONO):

S. Res. 80. A resolution designating February 2023 as "Hawaiian Language Month" or "'Olelo Hawai'i Month"; to the Committee on the Judiciary.

By Mr. RISCH (for himself, Mr. BARRASSO, Mr. HAGERTY, Mr. CRUZ, Mrs. BLACKBURN, Ms. LUMMIS, Mr. BRAUN, Mr. DAINES, Mr. MARSHALL, Mr. CASSIDY, Ms. COLLINS, Mr. THUNE, Mr. MULLIN, Ms. ERNST, and Mr. CRAMER):

S. Res. 81. A resolution relating to the establishment of a means for the Senate to provide advice and consent regarding the form of an international agreement relating to pandemic prevention, preparedness, and response; to the Committee on Foreign Relations.

By Ms. BALDWIN (for herself, Mr. BLUMENTHAL, Mr. LUJÁN, Ms. WARREN, Mr. CARDIN, Mr. VAN HOLLEN, Ms. HIRONO, and Mr. SANDERS):

S. Res. 82. A resolution congratulating the National Treasury Employees Union on its 85th anniversary and commending the dedication shown Federal employees and continued service provided by the National Treasury Employees Union and the members of the National Treasury Employees Union; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. MURRAY (for herself, Ms. COLLINS, Mr. MERKLEY, Mr. KING, Ms. HIRONO, Mr. BLUMENTHAL, Mr. DURBIN, Mr. BROWN, Mr. VAN HOLLEN, Mr. PADILLA, Ms. SMITH, Ms. HASSAN, Mr. WYDEN, Mr. COONS, Ms. BALDWIN, Ms. KLOBUCHAR, Mr. KELLY, Mrs. SHAHEEN, Mr. SANDERS, and Ms. STABENOW):

S. Res. 83. A resolution designating the week of February 6 through 10, 2023, as "National School Counseling Week"; considered and agreed to.

By Mr. BROWN (for himself, Mr. BARRASSO, Mr. BLUMENTHAL, Mr. WICKER, Mr. WHITEHOUSE, Ms. KLOBUCHAR, Mr. CASEY, Mr. MARKEY, and Mr. BOOKER):

S. Res. 84. A resolution designating February 28, 2023, as "Rare Disease Day"; considered and agreed to.

By Mr. CASEY (for himself and Mr. CRAMER):

S. Res. 85. A resolution designating March 1, 2023, as "National Assistive Technology Awareness Day"; considered and agreed to.

#### ADDITIONAL COSPONSORS

S. 27

At the request of Mr. HOEVEN, the name of the Senator from Alabama (Mrs. BRITT) was added as a cosponsor of S. 27, a bill to prohibit the Department of Defense from requiring contractors to provide information relating to greenhouse gas emissions.

S. 45

At the request of Mr. CARDIN, the name of the Senator from Georgia (Mr.

OSSOFF) was added as a cosponsor of S. 45, a bill to amend the Internal Revenue Code of 1986 to simplify reporting requirements, promote tax compliance, and reduce tip reporting compliance burdens in the beauty service industry.

S. 124

At the request of Mr. SCHATZ, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 124, a bill to increase the rates of pay under the statutory pay systems and for prevailing rate employees by 8.7 percent, and for other purposes.

S. 204

At the request of Mr. THUNE, the name of the Senator from Missouri (Mr. HAWLEY) was added as a cosponsor of S. 204, a bill to amend title 18, United States Code, to prohibit a health care practitioner from failing to exercise the proper degree of care in the case of a child who survives an abortion or attempted abortion.

S. 217

At the request of Mr. CASSIDY, the name of the Senator from Georgia (Mr. OSSOFF) was added as a cosponsor of S. 217, a bill to amend the Internal Revenue Code of 1986 to provide a special rule for certain casualty losses of uncut timber.

S. 316

At the request of Mr. KAINE, the names of the Senator from Rhode Island (Mr. REED) and the Senator from Ohio (Mr. VANCE) were added as cosponsors of S. 316, a bill to repeal the authorizations for use of military force against Iraq.

S. 319

At the request of Ms. LUMMIS, the name of the Senator from North Carolina (Mr. BUDD) was added as a cosponsor of S. 319, a bill to prohibit the President from issuing moratoria on leasing and permitting energy and minerals on certain Federal land.

S. 344

At the request of Mr. TESTER, the names of the Senator from Delaware (Mr. COONS), the Senator from Wyoming (Mr. BARRASSO), the Senator from Pennsylvania (Mr. FETTERMAN), the Senator from Nebraska (Mrs. FISCHER) and the Senator from Arizona (Mr. KELLY) were added as cosponsors of S. 344, a bill to amend title 10, United States Code, to provide for concurrent receipt of veterans' disability compensation and retired pay for disability retirees with fewer than 20 years of service and a combat-related disability, and for other purposes.

S. 366

At the request of Mr. VAN HOLLEN, the name of the Senator from Indiana (Mr. BRAUN) was added as a cosponsor of S. 366, a bill to direct the Administrator of General Services to ensure that the design of public buildings in the United States adheres to the guiding principles for Federal architecture, and for other purposes.

S. 378

At the request of Mr. SULLIVAN, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 378, a bill to amend the Camp Lejeune Justice Act of 2022 to appropriately limit attorney's fees.

S. 380

At the request of Mr. RUBIO, the name of the Senator from Missouri (Mr. SCHMITT) was added as a cosponsor of S. 380, a bill to amend title 18, United States Code, to punish the distribution of fentanyl resulting in death as felony murder.

S. 401

At the request of Mr. HOEVEN, his name was added as a cosponsor of S. 401, a bill to amend the Internal Revenue Code of 1986 to remove silencers from the definition of firearms, and for other purposes.

S. 431

At the request of Mr. RISCH, the names of the Senator from Ohio (Mr. VANCE) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 431, a bill to withhold United States contributions to the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), and for other purposes.

S. 444

At the request of Mr. JOHNSON, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 444, a bill to require any convention, agreement, or other international instrument on pandemic prevention, preparedness, and response reached by the World Health Assembly to be subject to Senate ratification.

S. 467

At the request of Mr. PETERS, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 467, a bill to modify the age requirement for the Student Incentive Payment Program of the State maritime academies.

S. 489

At the request of Mr. SCOTT of Florida, the name of the Senator from North Dakota (Mr. CRAMER) was added as a cosponsor of S. 489, a bill to prohibit any direct or indirect United States funding for the territory of Gaza unless certain conditions are met.

S. 505

At the request of Mr. GRASSLEY, the name of the Senator from Missouri (Mr. HAWLEY) was added as a cosponsor of S. 505, a bill to amend section 212(d)(5) of the Immigration and Nationality Act to reform immigration parole, and for other purposes.

S. 514

At the request of Mr. BLUMENTHAL, the names of the Senator from New Mexico (Mr. HEINRICH) and the Senator from Vermont (Mr. WELCH) were added as cosponsors of S. 514, a bill to award posthumously the Congressional Gold Medal to Constance Baker Motley, in recognition of her enduring contributions and service to the United States.

S.J. RES. 15

At the request of Mr. SCOTT of Florida, the name of the Senator from Missouri (Mr. SCHMITT) was added as a cosponsor of S.J. Res. 15, a joint resolution disapproving the rule submitted by the Department of Commerce relating to "Procedures Covering Suspension of Liquidation, Duties and Estimated Duties in Accord With Presidential Proclamation 10414".

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. PADILLA (for himself and Mr. CRAMER):

S. 544. A bill to amend the Federal Credit Union Act to provide a sunset for certain ways in which credit unions may be Agent members of the National Credit Union Administration Central Liquidity Facility; to the Committee on Banking, Housing, and Urban Affairs.

Mr. PADILLA. Madam President, I rise to speak in support of the bipartisan bill that I introduced today with Senator CRAMER to help ensure the financial stability of smaller credit unions.

Congress created the Central Liquidity Facility in 1978 to improve the general financial stability of credit unions by serving as a liquidity lender to credit unions experiencing unusual or unexpected liquidity shortfalls.

Unfortunately, under current law, smaller credit unions often do not have access to this critical tool that could help them address liquidity shortfalls, especially amid higher interest rates.

That is why I am proud to introduce this bipartisan legislation with Senator CRAMER to allow corporate credit unions to buy Central Liquidity Facility capital stock for a chosen subset of its members rather than all of its members for the next 3 years. This would provide greater flexibility for smaller credit unions to use the Central Liquidity Facility's services.

I hope my colleagues will join me in support of this bill to meet the needs of our Nation's 6,000 credit unions and the communities they serve.

By Mr. THUNE (for himself and Mr. LUJÁN):

S. 555. A bill to improve disaster assistance programs of the Department of Agriculture, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. THUNE. Madam President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 555

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Livestock Disaster Assistance Improvement Act of 2023".

#### SEC. 2. EMERGENCY CONSERVATION PROGRAM.

Title IV of the Agricultural Credit Act of 1978 is amended by inserting after section 402B (16 U.S.C. 2202b) the following:

#### "SEC. 402C. ADDITIONAL REQUIREMENTS FOR THE EMERGENCY CONSERVATION PROGRAM.

"(a) ELIGIBILITY OF FEDERAL, STATE, AND LOCAL LAND USERS.—

"(1) IN GENERAL.—An agricultural producer eligible to receive payments under sections 401 and 402 includes a person that—

"(A) holds a permit from the Federal Government to conduct agricultural production or grazing on Federal land; or

"(B) leases land from a State or unit of local government to conduct agricultural production or grazing on that land.

"(2) EFFECT.—Nothing in this subsection authorizes the Secretary to make a payment under section 401 or 402 to a State or unit of local government.

"(b) PERMANENT IMPROVEMENTS.—Emergency measures eligible for payments under sections 401 and 402 include—

"(1) new permanent measures, including permanent water wells and pipelines; and

"(2) replacement or restoration of existing emergency measures with permanent measures, including permanent water wells and pipelines.

"(c) STREAMLINING APPLICATION PROCESS.—

"(1) WAIVER OF PUBLIC COMMENT.—During a drought emergency, as determined by the Secretary, the 30-day public comment period required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) shall be waived with respect to an application to carry out emergency measures under section 401 or 402 on land administered by the Secretary of the Interior, acting through the Director of the Bureau of Land Management (referred to in this subsection as the 'Secretary of the Interior').

"(2) ACCEPTANCE OF NRCS REVIEWS.—With respect to an application to carry out emergency measures under section 401 or 402 on land administered by the Secretary of the Interior, the Secretary of the Interior may accept—

"(A) during a drought emergency, as determined by the Secretary, an archeological review conducted by the Secretary, acting through the Chief of the Natural Resources Conservation Service, for purposes of an archeological review required to be conducted;

"(B) an environmental review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) conducted by the Secretary, acting through the Chief of the Natural Resources Conservation Service, for purposes of such an environmental review required to be conducted; and

"(C) a review under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) conducted by the Secretary, acting through the Chief of the Natural Resources Conservation Service, for purposes of such a review required to be conducted."

#### SEC. 3. EMERGENCY FOREST RESTORATION PROGRAM.

Section 407 of the Agricultural Credit Act of 1978 (16 U.S.C. 2206) is amended—

(1) in subsection (a)—

(A) by redesignating paragraphs (1) through (3) as paragraphs (3) through (5), respectively;

(B) by inserting before paragraph (3) (as so redesignated) the following:

"(1) ELIGIBLE ENTITY.—The term 'eligible entity' means—

"(A) with respect to nonindustrial private forest land, an owner of the nonindustrial private forest land;

"(B) with respect to Federal land, a person that holds a permit from the Federal Government to conduct agricultural production or grazing on the Federal land; and

“(C) with respect to land owned by a State or a unit of local government, a person that leases land from the State or unit of local government to conduct agricultural production or grazing on that land.

“(2) ELIGIBLE LAND.—The term ‘eligible land’ means—

“(A) nonindustrial private forest land;

“(B) Federal land; and

“(C) land owned by a State or unit of local government.”; and

(C) in paragraph (3) (as so redesignated)—

(i) in subparagraph (A)—

(I) in the matter preceding clause (i), by striking “nonindustrial private forest land” and inserting “eligible land”; and

(II) by redesignating clauses (i) and (ii) as subclauses (I) and (II), respectively, and indenting appropriately;

(ii) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and indenting appropriately;

(iii) in the matter preceding clause (i) (as so redesignated), by striking “The term” and inserting the following:

“(A) IN GENERAL.—The term”; and

(iv) by adding at the end the following:

“(B) INCLUSIONS.—The term ‘emergency measures’ includes—

“(i) new permanent measures described in subparagraph (A), including permanent water wells and pipelines; and

“(ii) replacement or restoration of existing emergency measures with permanent measures described in subparagraph (A), including permanent water wells and pipelines.”;

(2) in subsection (b)—

(A) by striking “an owner of nonindustrial private forest land who” and inserting “an eligible entity that”; and

(B) by striking “restore the land” and inserting “restore eligible land”;

(3) in subsection (c)—

(A) by striking “owner must” and inserting “eligible entity shall”; and

(B) by striking “nonindustrial private forest land” and inserting “eligible land”;

(4) in subsection (d), by striking “an owner of nonindustrial private forest land” and inserting “an eligible entity”;

(5) by redesignating subsection (e) as subsection (g); and

(6) by inserting after subsection (d) the following:

“(e) STREAMLINING APPLICATION PROCESS.—

“(1) WAIVER OF PUBLIC COMMENT.—During a drought emergency, as determined by the Secretary, the 30-day public comment period required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) shall be waived with respect to an application to carry out emergency measures under this section on land administered by the Secretary of the Interior, acting through the Director of the Bureau of Land Management (referred to in this subsection as the ‘Secretary of the Interior’).

“(2) ACCEPTANCE OF NRCS REVIEWS.—With respect to an application to carry out emergency measures under this section on land administered by the Secretary of the Interior, the Secretary of the Interior may accept—

“(A) during a drought emergency, as determined by the Secretary, an archeological review conducted by the Secretary, acting through the Chief of the Natural Resources Conservation Service, for purposes of an archeological review required to be conducted;

“(B) an environmental review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) conducted by the Secretary, acting through the Chief of the Natural Resources Conservation Service, for purposes of such an environmental review required to be conducted; and

“(C) a review under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) con-

ducted by the Secretary, acting through the Chief of the Natural Resources Conservation Service, for purposes of such a review required to be conducted.

“(f) EFFECT.—Nothing in this section authorizes the Secretary to make a payment under this section to a State or unit of local government.”.

#### SEC. 4. LIVESTOCK FORAGE DISASTER PROGRAM.

Section 1501(c)(3)(D)(ii)(I) of the Agricultural Act of 2014 (7 U.S.C. 9081(c)(3)(D)(ii)(I)) is amended—

(1) by striking “at least 8 consecutive” and inserting the following: “not less than—

“(aa) 4 consecutive weeks during the normal grazing period for the county, as determined by the Secretary, shall be eligible to receive assistance under this paragraph in an amount equal to 1 monthly payment using the monthly payment rate determined under subparagraph (B); or

“(bb) 8 consecutive”; and

(2) in item (bb) (as so designated), by striking “1 monthly payment” and inserting “2 monthly payments”.

#### SEC. 5. EMERGENCY ASSISTANCE FOR LIVESTOCK, HONEY BEES, AND FARM-RAISED FISH.

(a) IN GENERAL.—Section 1501(d) of the Agricultural Act of 2014 (7 U.S.C. 9081(d)) is amended—

(1) in paragraph (1), by inserting “drought,” after “adverse weather.”;

(2) in paragraph (2), by inserting “adverse weather or drought (such as added transportation costs, feed costs, and reduced honey crops for eligible producers of honey bees),” after “disease.”;

(3) in paragraph (4)—

(A) by striking “In the case” and inserting the following:

“(A) IN GENERAL.—In the case”; and

(B) by adding at the end the following:

“(B) REQUIREMENTS.—The payment rate under subparagraph (A) shall—

“(i) in the case of eligible producers of honey bees, incorporate per-hive and per-colony rates of loss; and

“(ii) incorporate a standardized expected mortality rate of 15 percent.”; and

(4) by adding at the end the following:

“(5) DOCUMENTATION.—

“(A) IN GENERAL.—Any requirements for the submission of documentation by an eligible producer to receive a payment under this subsection shall be consistent nationwide.

“(B) PRODUCERS OF HONEY BEES.—The Secretary, in consultation with eligible producers of honey bees, shall establish a standard, for purposes of this subsection, for—

“(i) collecting data; and

“(ii) setting an annual rate for replacing colonies and hives of honey bees.”.

(b) APPLICABILITY TO PRODUCERS OF HONEY BEES.—The Secretary of Agriculture shall apply the amendments made by subsection (a) to producers of honey bees such that there is no limit on the size of a beekeeping operation with respect to those amendments.

#### SEC. 6. DROUGHT MONITOR INTERAGENCY WORKING GROUP.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Agriculture shall establish an interagency working group (referred to in this section as the “working group”) to improve the availability of consistent, accurate, and reliable data for use in producing the United States Drought Monitor in accordance with section 12512 of the Agriculture Improvement Act of 2018 (7 U.S.C. 5856).

(b) MEMBERSHIP.—The working group shall consist of not fewer than—

(1) 3 representatives from the Department of Agriculture, including 1 representative from each of—

(A) the Office of the Chief Economist, who shall serve as the Chair of the working group;

(B) the Forest Service; and

(C) the Farm Service Agency;

(2) 4 representatives from the National Oceanic and Atmospheric Administration, including 1 representative from each of—

(A) the Climate Prediction Center;

(B) the National Centers for Environmental Information;

(C) the National Integrated Drought Information System; and

(D) the National Mesonet Program;

(3) 1 representative from the National Drought Mitigation Center;

(4) 1 representative from the Department of the Interior; and

(5) 3 representatives from mesonet programs in States—

(A) that have experienced severe drought, as determined by the United States Drought Monitor, in not less than 5 calendar years during the period of calendar years 2012 through 2021; and

(B) more than 50 percent of the land area of which is designated by the Economic Research Service as a Level 1 frontier and remote area.

(c) DUTIES.—The working group shall—

(1) develop a means for the inclusion of additional in-situ data into the process of developing the United States Drought Monitor, including—

(A) determining minimum requirements for data to be included in the United States Drought Monitor;

(B) identifying data available from other government agencies, including through portals managed by the National Oceanic and Atmospheric Administration; and

(C) identifying gaps in coverage and determining solutions to address those gaps;

(2) identify and address potential barriers to the use of existing data, including—

(A) identifying Federal datasets that would be of immediate use in developing the United States Drought Monitor where access is restricted to some or all authors of the United States Drought Monitor; and

(B) developing proposed accommodations, modifications to contractual agreements, or updates to interagency memoranda of understanding to allow for incorporation of datasets identified under subparagraph (A);

(3) develop an open and transparent methodology for vetting data products developed using remote sensing or modeling;

(4) if determined appropriate by the working group, develop a methodology for inclusion of data that may otherwise be excluded from the United States Drought Monitor due to shorter periods of record; and

(5) identify and address any other issues relating to data availability and quality, as determined appropriate by the Chair of the working group.

(d) REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the working group shall submit to the Secretary of Agriculture, the Secretary of Commerce, the Secretary of the Interior, and the relevant committees of Congress a report containing recommendations for changes in policies, regulations, guidance documents, or existing law to meet the objectives described in subsection (c).

(2) DEFINITION OF RELEVANT COMMITTEES OF CONGRESS.—In this subsection, the term ‘relevant committees of Congress’ means—

(A) the Committee on Agriculture, Nutrition, and Forestry of the Senate;

(B) the Committee on Commerce, Science, and Transportation of the Senate;

(C) the Committee on Agriculture of the House of Representatives; and

(D) the Committee on Science, Space, and Technology of the House of Representatives.

(e) ACTION BY THE SECRETARY.—Not later than 180 days after the date of submission of the report under subsection (d), the Secretary of Agriculture, in coordination with the Secretary of Commerce and the Secretary of the Interior, shall incorporate, to the extent practicable, the recommendations of the working group to improve the United States Drought Monitor in accordance with section 12512 of the Agriculture Improvement Act of 2018 (7 U.S.C. 5856).

(f) TERMINATION.—The working group shall terminate on the date that is 90 days after the date on which the report is submitted under subsection (d).

**SEC. 7. ALIGNMENT OF FARM SERVICE AGENCY AND FOREST SERVICE DROUGHT RESPONSE.**

(a) IN GENERAL.—Not later than 60 days after the date of submission of the report under section 6(d), the Administrator of the Farm Service Agency and the Chief of the Forest Service shall enter into a memorandum of understanding to better align drought response activities of the Farm Service Agency and the Forest Service (referred to in this section as the “agencies”).

(b) CONTENTS.—The memorandum of understanding entered into under subsection (a) shall include—

(1) a commitment to better align practices of the agencies with respect to determining the severity of regional drought conditions;

(2) a strategy for amending those determinations to ensure consistent policy with respect to drought response in cases where the agencies are making inconsistent determinations within the same spatial scale;

(3) an agreement to utilize, to the extent practicable, the United States Drought Monitor in making those determinations; and

(4) an agreement to provide consistent information to grazing permittees, operators, and other stakeholders affected by determinations relating to drought.

SUBMITTED RESOLUTIONS

**SENATE RESOLUTION 80—DESIGNATING FEBRUARY 2023 AS “HAWAIIAN LANGUAGE MONTH” OR “‘ŌLELO HAWAII MONTH”**

Mr. SCHATZ (for himself and Ms. HIRONO) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 80

Whereas the Hawaiian language, or ‘Ōlelo Hawai‘i—

(1) is the Native language of Native Hawaiians, the aboriginal, Indigenous people who—  
(A) settled the Hawaiian archipelago as early as 300 A.D., over which they exercised sovereignty; and

(B) over time, founded the Kingdom of Hawai‘i; and

(2) was once widely spoken by Native Hawaiians and non-Native Hawaiians throughout the Kingdom of Hawai‘i, which held one of the highest literacy rates in the world prior to the illegal overthrow of the Kingdom of Hawai‘i in 1893 and the establishment of the Republic of Hawai‘i;

Whereas the Republic of Hawai‘i enacted a law in 1896 effectively banning school instruction in ‘Ōlelo Hawai‘i, which led to the near extinction of the language by the 1980s when fewer than 50 fluent speakers under 18 years old remained;

Whereas, since the 1960s, Native Hawaiians have led a grassroots revitalization of their

Native language, launching a number of historic initiatives, including—

(1) ‘Aha Pūnana Leo’s Hawaiian language immersion preschools;

(2) the Hawaiian language immersion program of the Hawai‘i State Department of Education; and

(3) the Hawaiian language programs of the University of Hawai‘i system; and

Whereas the Hawaiian language revitalization movement inspired systemic Native language policy reform, including—

(1) the State of Hawai‘i recognizing ‘Ōlelo Hawai‘i as an official language in the Constitution of the State of Hawai‘i in 1978;

(2) the State of Hawai‘i removing the 90-year ban on teaching ‘Ōlelo Hawai‘i in public and private schools in 1986;

(3) the enactment of the Native American Languages Act (25 U.S.C. 2901 et seq.) in 1990, which established the policy of the United States to preserve, protect, and promote the rights and freedom of Native Americans to use, practice, and develop Native American languages; and

(4) the State of Hawai‘i designating the month of February as “‘Ōlelo Hawai‘i Month” to celebrate and encourage the use of the Hawaiian language: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates February 2023 as “Hawaiian Language Month” or “‘Ōlelo Hawai‘i Month”;

(2) commits to preserving, protecting, and promoting the use, practice, and development of ‘Ōlelo Hawai‘i in alignment with the Native American Languages Act (25 U.S.C. 2901 et seq.); and

(3) urges the people of the United States and interested groups to celebrate ‘Ōlelo Hawai‘i with appropriate activities and programs to demonstrate support for ‘Ōlelo Hawai‘i.

**SENATE RESOLUTION 81—RELATING TO THE ESTABLISHMENT OF A MEANS FOR THE SENATE TO PROVIDE ADVICE AND CONSENT REGARDING THE FORM OF AN INTERNATIONAL AGREEMENT RELATING TO PANDEMIC PREVENTION, PREPAREDNESS, AND RESPONSE**

Mr. RISCH (for himself, Mr. BARRASSO, Mr. HAGERTY, Mr. CRUZ, Mrs. BLACKBURN, Ms. LUMMIS, Mr. BRAUN, Mr. DAINES, Mr. MARSHALL, Mr. CASIDY, Ms. COLLINS, Mr. THUNE, Mr. MULLIN, Ms. ERNST, and Mr. CRAMER) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 81

Whereas clause 2 of section 2 of article II of the Constitution of the United States empowers the President “by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur”;

Whereas without appropriate and meaningful consultation with the Senate—

(1) the requirement for Senate advice and consent to treaties remains unfulfilled; and

(2) in some cases, executive agreements, political agreements, and other arrangements have been improperly used by the Executive branch to circumvent the appropriate review of significant agreements by Congress;

Whereas as an appropriate exercise of the advice and consent power entrusted to the Senate, the Senate may refuse to consider

legislative measures intended to authorize or appropriate funds to implement international agreements which, in the opinion of the Senate, constitute treaties under the Constitution of the United States to which the Senate has not given its advice and consent to ratification;

Whereas clause 2 of section 5 of article I of the Constitution of the United States, grants plenary power to the Senate to “determine the Rules of its Proceedings”;

Whereas an international agreement should take the form of a treaty requiring Senate advice and consent and should be transmitted by the President to the Senate for the Senate’s consideration and approval if—

(1) the agreement involves commitments or risks affecting the nation as a whole;

(2) the agreement is intended to affect State laws;

(3) the agreement will not take effect until after subsequent legislation is enacted by Congress;

(4) similar agreements were subjected to the advice and consent of the Senate;

(5) similar agreements are typically subject to the approval of national legislatures in other countries;

(6) Congress has expressed a preference regarding its involvement in such type of agreement;

(7) the agreement involves a high degree of formality;

(8) the agreement is not routine, is not expected to have a short duration, and does not need to be promptly concluded; or

(9) if the agreement is intended to implement an existing treaty or make technical amendments to an existing treaty, the relevant Senate committee has previously indicated that such implementation or amendments are significant enough to require submission to the Senate for its advice and consent:

Now, therefore, be it

*Resolved*,

**SECTION 1. SHORT TITLE.**

This Resolution may be cited as the “World Health Organization Pandemic Treaty Implementation Resolution”.

**SEC. 2. PURPOSE.**

The purpose of this Resolution is for the Senate, as the Article I branch of the United States Government that is entrusted with the Advice and Consent power under clause 2 of section 2 of article II of the Constitution of the United States, to establish, through the use of the rulemaking authority of the Senate, a means for determining the form that an international agreement, protocol, legal instrument or agreed outcome with legal force, signed by the President or by his designee, shall take and to which the President intends the United States to become a Party or to otherwise be bound under international law, in whole or in part.

**SEC. 3. DECLARATIONS.**

(a) IN GENERAL.—Exercising the rulemaking authority of the Senate, the Senate declares, under clause 2 of section 2 of article II of the Constitution of the United States, that any international convention, agreement, protocol, legal instrument, or agreed outcome with legal force relating to pandemic prevention, preparedness, and response drafted by the intergovernmental negotiating body of the World Health Assembly that—

(1) is intended to be adopted pursuant to Article 19 or any other provision of the Constitution of the World Health Organization; and

(2) establishes significant international commitments by the United States under the authority of World Health Assembly Decision SSA2(5) or any related decision,

meets 1 or more of the factors set forth in the last clause of the preamble, indicating that such agreement should take the form of a treaty requiring Senate approval.

(b) **LIMITATION OF AGREEMENT.**—The Senate declares that any agreement described in subsection (a)—

(1) involves a significant political and economic commitment of the United States to foreign countries; and

(2) does not legally bind the United States until after—

(A) the President transmits such agreement to the Senate for its consideration as a treaty, subject to the applicable constitutional advice and consent procedures; and

(B) the Senate provides its consent to such treaty through a resolution of ratification.

**SEC. 4. ADVICE.**

(a) **REFERRAL.**—Any agreement described in section 3(a) that is transmitted to the Senate pursuant to section 3(b)(2)(A) shall be referred to the Committee on Foreign Relations of the Senate for its consideration.

(b) **CONSULTATION WITH THE COMMITTEE ON FOREIGN RELATIONS OF THE SENATE.**—

(1) **CONSULTATIONS DURING NEGOTIATIONS.**—The Secretary of State, or the designee of the Secretary, shall—

(A) at the request of the Chair or the Ranking Member of the Committee on Foreign Relations of the Senate, meet with any or all Members of the Committee regarding—

(i) negotiating objectives;

(ii) the status of negotiations in progress; and

(iii) the nature of any potential changes to the laws of the United States or the administration of such laws that may be recommended to Congress to carry out—

(I) an agreement described in section 3(a); or

(II) any requirement of, amendment to, or recommendation under, such agreement; and

(B) consult closely and on a timely basis with, and keep fully apprised of the negotiations, the Committee on Foreign Relations of the Senate;

(2) **CONSULTATIONS BEFORE SIGNING AGREEMENT.**—Before signing an agreement described in section 3(a), the President shall—

(A) consult closely, and on a timely basis, with the members of the Committee on Foreign Relations of the Senate; and

(B) keep such members fully apprised of the measures other nations have taken to comply with the provisions of such agreement that are to take effect on the date on which such agreement enters into force.

(c) **DESIGNATED SENATE ADVISORS.**—

(1) **DESIGNATION.**—The Secretary of State—

(A) shall designate not fewer than 2 members of the Committee on Foreign Relations of the Senate, on a bipartisan basis, to serve as Senate advisors to the negotiations regarding an agreement described in section 3(a); and

(B) may designate additional members of the Committee on Foreign Relations of the Senate as Senate advisors, after consultation with the Chair and Ranking Member of the Committee.

(2) **CONSULTATIONS WITH DESIGNATED CONGRESSIONAL ADVISORS.**—During negotiations regarding an agreement described in section 3(a), the Secretary of State or an officer of the Department of State who has been confirmed to such position by the Senate and designated by the Secretary, shall consult closely and on a timely basis (including immediately before initialing any agreement) with, and keep fully apprised of the negotiations, the Senate advisors designated pursuant to paragraph (1).

(3) **ACCREDITATION.**—Each Senator designated as a Senate advisor pursuant to paragraph (1) shall be accredited by the Sec-

retary of State on behalf of the President as an official advisor to the United States delegation to any relevant international conferences, meetings, and negotiating sessions relating to an agreement described in section 3(a).

**SEC. 5. CONSENT.**

(a) **SUBMISSION OF TREATY TO THE SENATE.**—An international convention, agreement, protocol, legal instrument, or agreed outcome with legal force relating to pandemic prevention, preparedness, and response described in section 3(a) shall not become effective with respect to the United States until after the President, not later than 60 days after such agreement is signed, submits to the Senate—

(1) such agreement, including all related materials, annexes, and other related documents; and

(2) a certification that—

(A) the materials submitted pursuant to paragraph (1) constitute the totality of such agreement in question; and

(B) the adoption of the treaty is in the vital national security interest of the United States.

(b) **DECLARATION.**—Exercising the rule-making authority granted to the Senate under clause 2 of section 5 of article I of the Constitution of the United States, the Senate declares that it shall not be in order for the Senate to consider any bill, any joint or concurrent resolution, any amendment to such bill or amendment, or any conference report authorizing or providing budget authority to implement, in whole or in part, any international pandemic preparedness, prevention, and response convention, agreement, protocol, legal instrument, or agreed outcome with legal force of the World Health Assembly, the purpose of which is to implement, in whole or in part, an agreement described in section 3(a).

(c) **SUNSET.**—This section shall remain in effect until the date on which the President submits the agreement and certification required under subsection (a) to the Senate as a treaty for its constitutional advice and consent.

**SENATE RESOLUTION 82—CONGRATULATING THE NATIONAL TREASURY EMPLOYEES UNION ON ITS 85TH ANNIVERSARY AND COMMENDING THE DEDICATION SHOWN FEDERAL EMPLOYEES AND CONTINUED SERVICE PROVIDED BY THE NATIONAL TREASURY EMPLOYEES UNION AND THE MEMBERS OF THE NATIONAL TREASURY EMPLOYEES UNION**

Ms. BALDWIN (for herself, Mr. BLUMENTHAL, Mr. LUJAN, Ms. WARREN, Mr. CARDIN, Mr. VAN HOLLEN, Ms. HIRONO, and Mr. SANDERS) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

**S. RES. 82**

Whereas, in 1938, a group of employees in Wisconsin banded together to eliminate political influence in the jobs of those employees as revenue collectors, marking the beginning of the National Treasury Employees Union (referred to in this preamble as “NTEU”);

Whereas that group persisted for 14 years and finally won civil service protections, leading to the establishment of the professional workforce at the Internal Revenue Service that exists today;

Whereas, in 1972, NTEU signed the first negotiated bargaining agreement of NTEU, which developed a shared set of responsibilities for managers and bargaining unit employees that were designed to improve the workforce and achieve the mission of the Internal Revenue Service;

Whereas, since that initial agreement, NTEU has promoted new and innovative workplace policies that benefit Federal employees and agencies, such as alternative work schedules and telework policies;

Whereas NTEU—

(1) serves as a powerful voice for the members of NTEU and for Federal employees in general;

(2) has successfully sought to promote and defend Federal service as a noble calling involving a variety of challenging and rewarding professions; and

(3) has fought tirelessly to ensure that Federal employees are free from discrimination, politicization, and retaliation for disclosing Federal Government waste, fraud, and abuse;

Whereas the work of NTEU and the knowledge and skills of the highly trained individuals represented by NTEU who work for the Federal Government contribute significantly to the greatness and prosperity of the United States;

Whereas NTEU has grown to represent approximately 150,000 employees from 34 different Federal agencies, and the members of NTEU, among other things—

(1) collect the revenue that funds the Federal Government;

(2) help protect the borders of the United States;

(3) ensure that individuals in the United States have clean air and water;

(4) protect consumers, investors, bank depositors, and agriculture commodity traders;

(5) serve the beneficiaries of important health and social programs and ensure the safety of food and drugs in the United States; and

(6) protect and preserve the national parks and public lands of the United States;

Whereas the mission of NTEU, to help create workplaces in which every Federal employee is treated with dignity and respect, has been met by the efforts of NTEU to—

(1) advocate for fair pay and benefits;

(2) negotiate for work-life balance initiatives; and

(3) ensure a merit-based, nonpartisan civil service;

Whereas, whether advocating on Capitol Hill, at the bargaining table, or in workplaces across the United States, NTEU continues to make history through its accomplishments; and

Whereas, in 2023, NTEU is celebrating its 85th anniversary; Now, therefore, be it

*Resolved*, That the Senate—

(1) congratulates the National Treasury Employees Union on its 85th anniversary; and

(2) commends—

(A) the work of the National Treasury Employees Union; and

(B) the members of the National Treasury Employees Union for their outstanding contributions to the United States.

**SENATE RESOLUTION 83—DESIGNATING THE WEEK OF FEBRUARY 6 THROUGH 10, 2023, AS “NATIONAL SCHOOL COUNSELING WEEK”**

Mrs. MURRAY (for herself, Ms. COLLINS, Mr. MERKLEY, Mr. KING, Ms. HIRONO, Mr. BLUMENTHAL, Mr. DURBIN, Mr. BROWN, Mr. VAN HOLLEN, Mr.

PADILLA, Ms. SMITH, Ms. HASSAN, Mr. WYDEN, Mr. COONS, Ms. BALDWIN, Ms. KLOBUCHAR, Mr. KELLY, Mrs. SHAHEEN, Mr. SANDERS, and Ms. STABENOW) submitted the following resolution; which was considered and agreed to:

S. RES. 83

Whereas school counselors are more important now than ever, as the COVID-19 pandemic has magnified the mental health crisis among the youth of the United States;

Whereas the American School Counselor Association has designated February 6 through 10, 2023, as “National School Counseling Week”;

Whereas school counselors have long advocated for all students;

Whereas school counselors help develop well-rounded students by guiding students through academic learning, social and emotional development, and career exploration;

Whereas personal and social growth can help lead to increased academic achievement;

Whereas school counselors play a vital role in ensuring that students are ready for both college and careers;

Whereas school counselors play a vital role in making students aware of opportunities for financial aid and college scholarships;

Whereas school counselors assist with and coordinate efforts to foster a positive school climate, resulting in a safer learning environment for all students;

Whereas school counselors have been instrumental in helping students, teachers, and parents deal with personal trauma as well as tragedies in their communities and the United States;

Whereas students face myriad challenges every day, including peer pressure, bullying, mental health issues, the deployment of family members to serve in conflicts overseas, and school violence;

Whereas a school counselor is one of the few professionals in a school building who is trained in both education and social and emotional development;

Whereas the roles and responsibilities of school counselors are often misunderstood;

Whereas the school counselor position is often among the first to be eliminated to meet budgetary constraints;

Whereas the national average ratio of students to school counselors is 408 to 1, almost twice the 250 to 1 ratio recommended by the American School Counselor Association, the National Association for College Admission Counseling, and other organizations; and

Whereas the celebration of National School Counseling Week will increase awareness of the important and necessary role school counselors play in the lives of students in the United States: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates the week of February 6 through 10, 2023, as “National School Counseling Week”; and

(2) encourages the people of the United States to observe National School Counseling Week with appropriate ceremonies and activities that promote awareness of the role school counselors play in schools and the community at large in preparing students for fulfilling lives as contributing members of society.

#### SENATE RESOLUTION 84—DESIGNATING FEBRUARY 28, 2023, AS “RARE DISEASE DAY”

Mr. BROWN (for himself, Mr. BARASSO, Mr. BLUMENTHAL, Mr. WICKER, Mr. WHITEHOUSE, Ms. KLOBUCHAR, Mr.

CASEY, Mr. MARKEY, and Mr. BOOKER) submitted the following resolution; which was considered and agreed to:

S. RES. 84

Whereas a rare disease or disorder is a disease or disorder that affects a small number of patients;

Whereas, in the United States, a rare disease or disorder affects fewer than 200,000 individuals;

Whereas, as of the date of the adoption of this resolution, more than 25,000,000 individuals in the United States are living with at least 1 of the more than 7,000 known rare diseases or disorders;

Whereas children with rare diseases or disorders account for a significant portion of the population affected by rare diseases or disorders in the United States;

Whereas many rare diseases and disorders are serious and life-threatening;

Whereas this year marks the 40th anniversary of the enactment of the Orphan Drug Act (Public Law 97-414; 96 Stat. 2049), a landmark law enabling tremendous advances in the research and treatment of rare diseases and disorders;

Whereas, in 2022, the Center for Drug Evaluation and Research, in the Food and Drug Administration (referred to in this preamble as “FDA”), established the Accelerating Rare disease Cures program with a vision of speeding and increasing the development of effective and safe treatment options to address the unmet needs of patients with rare diseases;

Whereas the 117th Congress passed into law as part of the Consolidated Appropriations Act, 2023 (Public Law 117-328; 136 Stat. 4459), provisions creating the rare disease endpoint advancement pilot program in the FDA to support the development of novel efficacy endpoints to help facilitate the development and timely approval of rare disease treatments;

Whereas, although the FDA has approved more than 1,100 drugs and biological products for an orphan indication for the treatment of a rare disease or disorder, approximately 90 percent of rare diseases do not have a treatment approved by the FDA for their condition;

Whereas limited treatment options and financing life-altering and lifesaving treatments can be challenging for individuals with rare diseases or disorders and their families;

Whereas rare diseases and disorders include sickle cell anemia, spinal muscular atrophy, amyotrophic lateral sclerosis, thyroid eye disease, myotonic dystrophy, t-cell prolymphocytic leukemia, Sanfilippo syndrome, microtia, cystinosis, meatal atresia, and conductive deafness;

Whereas individuals with rare diseases or disorders can experience difficulty in obtaining accurate diagnoses and finding physicians or treatment centers with expertise in their rare disease or disorder;

Whereas the 116th Congress passed the Medicaid Services Investment and Accountability Act of 2019 (Public Law 116-16; 133 Stat. 852), which included provisions for improving access to coordinated, patient-centered health care for children with complex and rare medical conditions in Medicaid, and became effective October 1, 2022;

Whereas the FDA and the National Institutes of Health support innovative research on the treatment of rare diseases and disorders;

Whereas Rare Disease Day is observed each year on the last day of February;

Whereas Rare Disease Day is a global event that was first observed in the United States on February 28, 2009, and was observed in more than 100 countries in 2022; and

Whereas Rare Disease Day is expected to be observed globally for years to come, providing hope and information for rare disease and disorder patients around the world: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates February 28, 2023, as “Rare Disease Day”; and

(2) recognizes the importance of, with respect to rare diseases and disorders—

(A) improving awareness;

(B) encouraging accurate and early diagnosis; and

(C) supporting national and global efforts to develop effective treatments, diagnostics, and cures.

#### SENATE RESOLUTION 85—DESIGNATING MARCH 1, 2023, AS “NATIONAL ASSISTIVE TECHNOLOGY AWARENESS DAY”

Mr. CASEY (for himself and Mr. CRAMER) submitted the following resolution; which was considered and agreed to:

S. RES. 85

Whereas assistive technology is any item, piece of equipment, or product system that is used to increase, maintain, or improve the functional capabilities of an individual with a disability or an older adult;

Whereas an assistive technology service is any service that directly assists an individual with a disability or an older adult in the selection, acquisition, or use of an assistive technology device;

Whereas, in 2022, the Centers for Disease Control and Prevention reported that 1 in 4 individuals in the United States, or almost 61,000,000 individuals, has a disability;

Whereas, in the 2020-2021 school year, the Department of Education reported that there were more than 7,200,000 children with disabilities;

Whereas the Centers for Disease Control and Prevention reported that, among adults 65 years of age and older, 2 in 5 have a disability;

Whereas assistive technology enables individuals with disabilities and older adults to be included in their communities and in inclusive classrooms and workplaces;

Whereas assistive technology devices and services are necessities, not luxury items, for millions of individuals with disabilities and older adults, without which they would be unable to live in their communities, access education, or obtain, retain, and advance gainful, competitive, and integrated employment;

Whereas the availability of assistive technology in the workplace promotes economic self-sufficiency, enhances work participation, and is critical to the employment of individuals with disabilities and older adults; and

Whereas State assistive technology programs support a continuum of services that include—

(1) the exchange, repair, recycling, and other reutilization of assistive technology devices;

(2) device loan programs that provide short-term loans of assistive technology devices to individuals, employers, public agencies, and others;

(3) the demonstration of devices to inform decision making; and

(4) State financing to help individuals purchase or obtain assistive technology through a variety of initiatives, such as financial loan programs, leasing programs, and other financing alternatives, that give individuals affordable, flexible options to purchase or obtain assistive technology: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates March 1, 2023, as “National Assistive Technology Awareness Day”; and

(2) commends—

(A) assistive technology specialists and program coordinators for their hard work and dedication in serving individuals with disabilities who are in need of finding the proper assistive technology to meet their individual needs; and

(B) professional organizations and researchers dedicated to facilitating the access and acquisition of assistive technology for individuals with disabilities and older adults in need of assistive technology devices.

#### AUTHORITY FOR COMMITTEES TO MEET

Mr. KELLY. Madam President, I have seven requests for committees to meet during today’s session of the Senate. They have the approval of the Majority and Minority Leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today’s session of the Senate:

##### COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, February 28, 2023, at 9:30 a.m., to conduct a hearing.

##### COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Tuesday, February 28, 2023, at 10 a.m., to conduct a hearing.

##### COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Tuesday, February 28, 2023, to conduct a business meeting.

##### COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Tuesday, February 28, 2023, at 10 a.m., to conduct a hearing on a nomination.

##### COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Tuesday, February 28, 2023, at 10 a.m., to conduct a hearing.

##### COMMITTEE ON VETERANS’ AFFAIRS

The Committee on Veterans’ Affairs is authorized to meet during the session of the Senate on Tuesday, February 28, 2023, at 10 a.m., to conduct a joint hearing.

##### SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during

the session of the Senate on Tuesday, February 28, 2023, at 2:30 p.m., to conduct a closed briefing.

#### IMPROVING ACCESS TO OUR COURTS ACT

Mr. KELLY. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of S. 227 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 227) to amend title 28, United States Code, to provide an additional place for holding court for the Pecos Division of the Western District of Texas, and for other purposes.

There being no objection, the committee was discharged, and the Senate proceeded to consider the bill.

Mr. KELLY. I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 227) was ordered to be engrossed for a third reading, was read the third time, and passed as follows:

##### S. 227

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

##### SECTION 1. SHORT TITLE.

This Act may be cited as the “Improving Access to Our Courts Act”.

##### SEC. 2. ADDITIONAL PLACES FOR HOLDING COURT.

(a) PECOS DIVISION OF THE WESTERN DISTRICT OF TEXAS.—Section 124(d)(6) of title 28, United States Code, is amended, in the matter preceding paragraph (7), by inserting “and Alpine” after “Pecos”.

(b) WESTERN DISTRICT OF WASHINGTON.—Section 128(b) of title 28, United States Code, is amended by inserting “Mount Vernon,” after “Tacoma.”

#### RESOLUTIONS SUBMITTED TODAY

Mr. KELLY. Mr. President, I ask unanimous consent that the Senate proceed to the en bloc consideration of the following Senate resolutions introduced earlier today: S. Res. 83, S. Res. 84, and S. Res. 85.

The PRESIDING OFFICER. Without objection, it is so ordered.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. KELLY. I ask unanimous consent that the resolutions be agreed to; that

the preambles be agreed to; and that the motions to reconsider be considered made and laid upon the table en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolutions were agreed to.

The preambles were agreed to.

(The resolutions, with their preambles, are printed in today’s RECORD under “Submitted Resolutions.”)

#### ORDERS FOR WEDNESDAY, MARCH 1, 2023

Mr. KELLY. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m. on Wednesday, March 1; that following the prayer and the pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that following the conclusion of morning business, the Senate proceed to executive session and resume consideration of the Guzman nomination postcloture as provided under the previous order; further, that if any nominations are considered during Wednesday’s session, the motions to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate’s actions.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. KELLY. Mr. President, if there is no further business to come before the Senate, I ask that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:43 p.m., adjourned until Wednesday, March 1, 2023, at 10 a.m.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate February 28, 2023:

##### THE JUDICIARY

ARACELI MARTINEZ-OLGUIN, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF CALIFORNIA.

JAMAR K. WALKER, OF VIRGINIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF VIRGINIA.

JAMAL N. WHITEHEAD, OF WASHINGTON, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF WASHINGTON.